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Senate

(Legislative day of Monday, January 10, 2022)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Mighty God, our strong fortress, we worship You, for Your mercies are new each day.

Lord, You keep us safe, protecting us with the shield of Your divine blessings. Continue to bless our lawmakers. Give them the wisdom to call for Your help and receive Your deliverance from trouble. Dispel the shadows that surround them with Your divine light.

Lord, take hold of their future, doing for them, this day and always, more than they can ask or imagine.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Vermont.

Mr. LEAHY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

REMEMBERING HARRY REID

Mr. SCHUMER. Madam President, before I begin my remarks, I see my dear friend, the President, sitting there—the Senator from Nevada—and I am just thinking, last night, as we watched Harry Reid leave the Senate for the final time: Harry, we miss you, but we know you are still here to guide us. Thank you.

VOTING RIGHTS

Mr. SCHUMER. Madam President, on defending democracy—something Leader Reid would have been passionate about, if he were still with us here, and he is telling us that now—over the next few days, the U.S. Senate will face a critical and unavoidable question: Are its Members going to act to protect our democracy and protect voting rights or will its Members choose the path of obstruction, inaction, and side with the Big Lie overtaking our precious experiment in self-rule?

We had two professors come to us 2 days ago, the authors of “How Democracies Die,” and one of the main ways that democracies die is when one political party refuses to accept the results of an election that was run freely and fairly. That is what is happening here. They showed how important this is and how there is unfortunate historical precedent in doing what we did.

And earlier this week, President Biden made that clear. He made clear to the Nation—and to all of us who

serve in the Senate—that the time to answer the question about whether allowing the Big Lie, so ruinous to a democracy, to overtake our precious experiment in self-rule will prevail.

As the Senate has done many times in its history, it must soon act again to safeguard democracy from the dangers of the present day: the power of dark money, voter suppression, and efforts to subvert the democratic process from the bottom up.

I commend President Biden for offering a strong speech, and I look forward to having him join Senate Democrats later today at our caucus meeting to discuss the path forward.

Yesterday, I shared with my Democratic colleagues our plan for what the next few days are going to look like in this Chamber and how I, as majority leader, will move to finally begin, at last, a floor debate on the voting rights legislation.

Later today, the House of Representatives will pass a message that will include the language of the two bills Republicans have filibustered for months—the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act.

As permitted under the existing rules, we will have the ability to proceed to the legislation and debate it on a simple majority basis—something that has been denied to us four times in the last several months because Republicans didn’t want to move forward. Then the Senate will finally hold a debate on the voting rights legislation for the first time in this Congress, and every Senator will be faced with a choice of whether or not to pass this legislation to protect our democracy.

There has been a lot of gas-lighting here on the floor lately from the other side about power grabs, about takeovers, but precious little in terms of substance. I have not heard them mention what Republican legislatures are

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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doing. That is not the thrust of their speech. They say: Oh, it is a power grab. Oh, it is a takeover.

Well, my friends, if there was ever a power grab, it is what is happening in the State legislatures right now, where Republican legislators are taking away people's sacred right to vote and aiming it particularly at certain groups—people of color, young people, people in urban areas, older people, disabled people.

So let me remind my colleagues what these bills actually do. The Freedom to Vote Act and the John Lewis Voting Rights Advancement Act are balanced, effective, and commonsense bills that build on the work that this Chamber has done in the past to protect democracy, and it was often done with bipartisan votes. The transformation of the Republican Party in the era of Donald Trump is apparent and nasty, and, most importantly, really dangerous to our democracy.

These laws set basic standards for all American citizens to vote safely and vote securely, while protecting elections from attempts at subversion. What is wrong with that? How is that a power grab, to allow people to vote? It is the people who should have the power, not politicians and State legislative bodies to take it away.

The bill also fights against the power of Big Money that has cascaded into our system, and so much of it is now being used to try and intimidate legislators, Senators, and Congressmen from preserving this right to vote.

And the bill ends partisan gerrymandering. We have all seen situations—the legislature of Wisconsin, the State Assembly, where 53 percent of the people voted for Democratic legislators in 2020, but only about a third of the seats are Democratic due the severe nature of this gerrymandering.

And, so importantly, these bills restore the critical preclearance provisions that were once part of the Voting Rights Act that many of my Republican colleagues supported in the past, which a conservative majority on the Supreme Court shamefully gutted roughly a decade ago.

Democrats have tried for months—months—to convince our Republican colleagues to join us on a bipartisan basis to begin debate on these bills, to no avail. We presented these reasonable, commonsense proposals, as I said, many of which had been voted on by Republicans in the past. We presented them on the floor in June, August, October, and November. Each time I promised my Republican colleagues they would have the opportunity to voice their concerns and offer germane amendments. I wouldn't limit the germane amendments that they wished to offer.

We have lobbied Republicans privately and tried to engage them in both the Senate Rules Committee and the Senate Judiciary Committee. Every step of the way—every step of the way—we have been met with near

total resistance. To date, none of our efforts have produced any meaningful engagement from the other side of the aisle.

But Members of this Chamber were elected to debate and to vote, particularly on an issue as vital to the beating heart of our democracy as this.

I have said for months that just because Republicans have refused to work with us to protect voting rights does not mean Democrats would stop working to move forward on our own. The matter is simply too important. It is the wellspring of our democracy, the right by which all other rights are secured—voting.

I am reading the biography of Grant, by Chernow. The No. 1 thing the southern segregationists, who happened to be Democrats at the time, wanted to take away from the newly freed slaves was the right to vote. They knew that, if Black people didn't have the right to vote in the South, they would have no power—no power over our laws, no power of where resources go, no power to decide the directions of the country. And that was the No. 1 thing they wanted to prevent.

So it is so vital to keep people's right to vote, particularly when some of the laws—too many—are aimed at the people of color, reminding us that racism is the poison of America still.

So we will move forward. The path I have laid out sets up a process by which Senators can finally make clear to the American people where they stand on protecting our democracy. Republicans will have a chance to show where they stand on preserving the right of every eligible citizen to cast a ballot.

Republicans will have a chance to make clear where they stand on fighting efforts to empower partisan actors to subvert the election process and create more Big Lies in the future. Republicans will have a chance to make clear where they stand on fighting the power of dark money, which so many Americans oppose—Democrats and Republicans. And Republicans will have a chance to show where they stand on ending partisan gerrymandering.

Of course, to ultimately end debate and pass anything, we will also need 10 Republicans to join us, ultimately, on cloture. If they don't, we will be left with no choice but to consider changes to Senate rules so we can move forward. And changing Senate rules has been done many times before in this Chamber. This is not the first, second, or third time that this is happening.

All of us must make a choice about whether or not we will do our part to preserve our democratic Republic this day and age. We cannot be satisfied in thinking that democracy will win out in the end if we are not willing to put in the work, strength, and courage to defend it.

Last night, I read the op-ed published by President Obama that eloquently laid out what really is at stake here. I encourage my colleagues to read it if

they haven't already. He reminded us that democracy is not a given. It is not self-executing. But it can indeed survive and thrive if we are prepared to follow in the footsteps of the great Americans who did their part to defend democracy before us, many of them giving their lives. We are now being called upon to do our part.

Madam President, I now ask unanimous consent to have printed in the RECORD the Obama op-ed, which I will bring to the desk shortly.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Jan. 12, 2022]

FORMER PRESIDENT OBAMA IN USA TODAY:
WE NEED TO FOLLOW JOHN LEWIS' EXAMPLE
AND FIGHT FOR OUR DEMOCRACY

[By Former President Barack Obama]

"The world, and future generations, will be watching," Obama writes as he calls on Senate to "do the right thing" and pass legislation to protect voting rights.

When I spoke at John Lewis' memorial service two years ago, I emphasized a truth John knew better than just about anyone. Our democracy isn't a given. It isn't self-executing. We, as citizens, have to nurture and tend it. We have to work at it. And in that task, we have to vigilantly preserve and protect our most basic tool of self-government, which is the right to vote.

At the time, various state legislators across the country had already passed a variety of laws designed to make voting harder. It was an attack on everything John Lewis fought for, and a challenge to our most fundamental democratic freedoms.

Since then, things have only gotten worse.

SLOW UNRAVELING OF BASIC DEMOCRATIC
PRINCIPLES

While the American people turned out to vote at the highest rate in a century in the last presidential election, members of one of our two major political parties—spurred on by the then-sitting president—denied the results of that election and spun conspiracy theories that drove a violent mob to attack our Capitol.

PROTESTERS ATTACK THE CAPITOL ON JAN. 6

Although initially rejected by many Republicans, those claims continued to be amplified by conservative media outlets, and have since been embraced by a sizable portion of Republican voters—not to mention GOP elected officials who do, or at least should, know better. Those Republican officials and conservative thought leaders who have courageously stood their ground and rejected such anti-democratic efforts have found themselves ostracized, threatened and subjected to primary challenges.

Meanwhile, state legislators in 49 states have introduced more than 400 bills designed to suppress votes. Some of these bills we've seen before: legislation that would discourage voters, including racial minorities, low-income voters and young people from casting a ballot. Others aim to treat certain polling locations differently, creating one set of rules for voters living in cities and another set for people living in more conservative, rural areas.

We're also seeing more aggressive attempts to gerrymander congressional districts. Gerrymandering, which essentially allows politicians to choose their voters instead of the other way around, isn't new—and both parties have engaged in it.

But what we're seeing now are far more aggressive and precise efforts on the part of Republican state legislatures to tilt the playing

field in their favor. In states that have approved new congressional maps, there are now 15 fewer competitive districts than there were before. Fewer competitive districts increases partisanship, since candidates who only have to appeal to primary voters have no incentive to compromise or move to the center.

Finally and perhaps most perniciously, we've seen state legislatures try to assert power over core election processes including the ability to certify election results. These partisan attempts at voter nullification are unlike anything we've seen in modern times, and they represent a profound threat to the basic democratic principle that all votes should be counted fairly and objectively.

The good news is that the majority of American voters are resistant to this slow unraveling of basic democratic institutions and electoral mechanisms. But their elected representatives have a sacred obligation to push back as well—and now is the time to do it.

Now, there are bills in front of the Senate that would protect the right to vote, end partisan gerrymandering, and restore crucial parts of the Voting Rights Act. Bill sponsors have diligently reached out to their Republican colleagues to obtain their support. Sadly, almost every Senate Republican who expressed concern about threats to our democracy in the immediate aftermath of the Jan. 6 insurrection has since been cowed into silence or reversed their positions. When one of the bills in front of the Senate today was introduced in November, every Democrat supported it. And every Republican but one voted against moving it forward.

Protecting our democracy wasn't always a partisan issue. The Voting Rights Act was the result of Democratic and Republican efforts, and both President Reagan and President George W. Bush signed its renewal when they were in office. But even if Senate Republicans now refuse to stand up for our democracy, Democrats should be able to get the job done with a simple majority vote. There are already 50 Senators who support bills to safeguard elections. The only thing standing in the way is the filibuster—a Senate procedure that allows a minority of just 41 Senators to prevent legislation from being brought up for a vote.

The filibuster has no basis in the Constitution. Historically, the parliamentary tactic was used sparingly—most notably by Southern senators to block civil rights legislation and prop up Jim Crow. In recent years, the filibuster became a routine way for the Senate minority to block important progress on issues supported by the majority of voters. But we can't allow it to be used to block efforts to protect our democracy. That's why I fully support President Joe Biden's call to modify Senate rules as necessary to make sure pending voting rights legislation gets called for a vote. And every American who cares about the survival of our most cherished institutions should support the president's call as well.

PROTECTING OUR DEMOCRATIC INSTITUTIONS

For generations, Americans of every political stripe have taken pride in our status as the world's oldest continuous democracy. We have spilled precious blood and spent countless treasure in defense of democracy and freedom abroad. But as we learned during the Jim Crow era, our role as democracy's defender isn't credible when we violate the rights and freedoms of our own citizens. And at a time when democracy is under attack on every continent, we can't hope to set an example for the world when one of our two major parties seems intent on chipping away at the foundation of our own democracy.

No single piece of legislation can guarantee that we'll make progress on every

challenge we face as a nation. But legislation that ensures the right to vote and makes sure every vote is properly counted will give us a better chance of meeting those challenges. It's how we can overcome the gridlock and cynicism that's so prevalent right now. It's how we can stop climate change, and reform our broken immigration system, and help ensure that our children enjoy an economy that works for everyone and not just the few.

Now is the time for all of us to follow John Lewis' example. Now is the time for the U.S. Senate to do the right thing. America's longstanding grand experiment in democracy is being sorely tested. Future generations are counting on us to meet that test.

Mr. SCHUMER. Finally, as we continue this important conversation about the future of our democracy, I ask my Democratic colleagues to consider the following: If the right to vote is the cornerstone of our democracy, then how can we in good conscience allow for a situation in which the Republican Party can debate and pass voter suppression laws at the State level with only a simple majority vote but not allow the United States to do the same?

Let me repeat that.

If the right to vote is the cornerstone of our democracy, then how can we in good conscience allow for a situation in which the Republican Party can debate and pass voter suppression laws at the State level with only a simple majority vote but not allow the U.S. Senate to do the same?

In the coming days, we will confront this sobering question.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

ISSUES FACING AMERICA

Mr. MCCONNELL. Madam President, a recent survey asked Americans for their view of the most important problems facing our country. Of course, we know what Washington Democrats view as their top priority. President Biden and Senate Democrats have been shouting—actually shouting—at the American people that an evil, racist, anti-voting conspiracy will destroy democracy forever unless Democrats get total one-party control of the entire government, starting next week.

But are the American people buying any of it? Is this what working families want prioritized? So let's take a look. In a recent survey, Gallup asked citizens for their priorities, what they thought we ought to be doing.

Do you know what share of Americans said election law? Less than one-half of 1 percent—one-half of 1 percent. Nobody in this country is buying the fake hysteria that democracy will die unless Democrats get total control.

Here is what people do care about: The top response at 21 percent was poor government leadership. About a year into the Biden administration, the American people's single greatest concern is bad leadership. And when you dig into the other issues, you can see why.

Some of the next largest concerns were either general economic problems or inflation and rising costs, in particular, and no wonder—no wonder. New figures, just yesterday, show our country continues to experience the worst inflation in 40 years—40 years.

Gas prices are nearly a dollar higher than a year ago; grocery prices are up 6.5 percent; and across the economy, inflation has exceeded 5 percent every month for 7 straight months. There is no working family who has not been hurt directly by this.

Another huge chunk of Americans said their chief worry is the coronavirus—certainly no surprise there. A year into the administration that promised it would shut down the virus, well, what do we have? Record-setting new cases. Shortages of testing. Shortages of important treatments, in part, because of the Biden administration's decisions.

We have reports of multiple States potentially limiting or excluding patients from lifesaving treatments on the basis, believe it or not, of their ethnicity.

And still, 2 years into this, notwithstanding abundant vaccines and a milder variant, we have Big Labor bosses in big cities being permitted to lock vulnerable kids out of the classroom.

Oh, and when kids are in the classroom, the Department of Education and the Department of Justice try to persecute concerned parents who dare ask what their kids are learning.

So these are just a few examples of real problems. These are the kinds of places where the American people need this dramatically unpopular administration to entirely refocus.

Yesterday, a new poll indicated that 33 percent of Americans approve of the President—33 percent. When he was inaugurated and pledging to govern for all Americans, to heal and unite the country, this White House enjoyed impressive approval ratings. But as the far left has been handed the reins, the support has cratered.

Now, there is a path forward for my Democratic colleagues to respond to the country they have so badly disappointed, but it isn't to try to break the Senate and rewrite election laws. It is to actually start tracking the issues that American families need tackled.

Now, there are also countless other issues which may not make national headlines but matter hugely to those who are affected. For example, next

week, I will again travel to Western Kentucky to visit some of the areas hit hardest by last month's devastating tornado outbreak. The national news cameras may have left, but families in this part of the Commonwealth are still trying to pick up the pieces of their lives after losing homes, businesses, and loved ones.

I am profoundly grateful to everyone contributing to the recovery process.

Our utility workers are taking on the herculean task of restoring public services. The Kentucky National Guard has played a crucial role in distributing supplies. Private individuals have donated food, clothing, and blood.

The Kentucky General Assembly just approved a State-funded relief package, and Kentucky's entire Federal delegation joined together to advocate directly for increased Federal aid.

This is going to be a long process. It will require consistent support on the local, State, and Federal levels. Rebuilding will take literally months and years—not days and weeks.

Well, I will be with these communities every step of the way.

Finally, beyond our shores, there remains no shortage of forces that wish to harm America and our interests. Senators will vote today on a measure to impose sanctions on Nord Stream 2. We can send a strong warning to Putin that he won't be allowed to use energy as a weapon. We can signal strong support for Eastern and Central European partners that have long opposed Putin's pipeline.

Even Democratic Senators who now oppose the sanctions they used to support acknowledge the pipeline is "a tool of malign influence of the Russian Federation."

Really, the Government of Germany should have shelved this project itself a long time ago. Berlin can still make the right call.

These sanctions, like the prior Nord Stream 2 sanctions that had overwhelming bipartisan support here in Congress, are not about driving a wedge in Europe. The pipeline itself is the wedge. That is the whole point. That has been Putin's goal—decoupling Ukraine from Europe and making Europe even more reliant on Russian gas.

So for Senators who seem more concerned about standing with Berlin than with Kiev, this bill includes a waiver. We expect President Biden would actually exercise the waiver.

But a clear bipartisan message would still be sent, just like when 98 Senators voted to enact CAATSA in 2017, just like when Democrats signed off on the previous bill to sanction Nord Stream 2 in the 2020 NDAA.

So I hope each of our colleagues will support Senator CRUZ's measure. The Senate must show we are focused on real-life threats to democracy, to security, and to our friends.

As we speak, Russia is literally preparing to escalate its military assault on Ukraine. It has amassed more than 100,000 troops on Ukraine's border. De-

terringly Russian aggression and preparing for the very real threat of a major war on the European Continent will take far more than these sanctions.

It will take urgency and seriousness from the administration. Time is of the essence. Our delays in getting emergency assistance to Ukraine approved do not inspire much confidence.

The administration cannot move at the speed of bureaucracy. That won't cut it. Humanitarian and military support to Ukraine cannot wait. Reinforcing American and NATO positions in Europe cannot wait.

We must not pull our punches out of some fear of provoking Putin. What will encourage Putin is if he senses American weakness. Ukraine and our eastern flank NATO allies deserve our support.

They are on the frontlines of a much broader war that Russia and China are conducting against the democratic international order itself. This order helps America. It benefits our national interests, and it benefits our allies, but it is not going to enforce itself. It will not defend itself. And our allies will not act if America fails to lead.

Our Nation's contest with China and Russia is the biggest challenge we face. It will entail significant risks and perhaps, God forbid, serious sacrifice.

Meeting these challenges and preventing the worst will take the kind of unity and bipartisanship that President Biden promised—not the outrageous—outrageous—and divisive partisanship he has embraced.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LEGISLATIVE SESSION

PROTECTING EUROPE'S ENERGY SECURITY IMPLEMENTATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to consideration of S. 3436, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S.3436) to require the imposition of sanctions with respect to entities responsible for the planning, construction, or operation of the Nord Stream 2 pipeline and their corporate officers and to apply congressional review under the Countering America's Adversaries Through Sanctions Act to the removal of sanctions relating to Nord Stream 2, and for other purposes.

The PRESIDING OFFICER. The Senator from New Hampshire.

S. 3436

Mrs. SHAHEEN. Madam President, I come to the floor today to speak in opposition to S. 3436, which is the Nord Stream 2's sanctions bill sponsored by Senator CRUZ.

I certainly share the concerns that have been expressed just a few minutes

ago by Senator MCCONNELL about the threat that Russia poses to Ukraine and to Eastern Europe and the role that Nord Stream 2 plays in that critical issue.

I have been a strong and long-standing opponent of Nord Stream 2. I believe now what I believed at the time that I originally cosponsored the Nord Stream 2 sanctions bill with Senator CRUZ; that the Nord Stream 2 Pipeline is a long-term threat to the energy security of Europe.

But right now we are in a different place on this, and while Senator CRUZ and I worked together on sanctions legislation to stop this pipeline, my disagreement now with Senator CRUZ is in his approach to what we need to do to address what is right now a much more serious threat to Europe, to NATO, to the transatlantic alliance, and that is Russia's threat against Ukraine.

And what Senator CRUZ's bill would do is not stop Nord Stream 2; it would undermine the current diplomatic situation that is absolutely critical if we are going to respond to the Russian threat.

His bill is a vote—supporting his bill would be a vote to compromise the transatlantic community. It is a vote that breaks the message of bipartisan support in the face of Russian aggression and, furthermore, not just bipartisan support but allied support with the United States and Germany and Western Europe against the threat that Russia poses to Ukraine and really to Eastern Germany if they take this action.

The dynamics on Nord Stream 2 have changed since Senator CRUZ and I fought for the passage of legislation to prevent the completion of that pipeline. At the time, we worked together to provide the Trump administration with critical tools to sanction this pipeline, and we did that because there were some members of the Trump administration who came to us and said: We need this legislation because the administration has not acted.

And the fact is, 95 percent of the construction of the Nord Stream 2 Pipeline was completed during the Trump years. Unfortunately, the Trump administration, even after we passed that sanctions legislation, sat on those sanctions.

They waited until literally the last day of the Trump administration to sanction just one entity, just one entity in 4 years. And so what we saw is what I just said; that 95 percent of that pipeline was completed during the Trump years.

Now, we are in a very different situation right now, unfortunately, because we are in a situation where Russia is threatening Ukraine, and we need to work closely with our European allies to present a united front against Russia.

We have strengthened our relationship with our German allies. The Biden administration has restored a diplomacy-first foreign policy, which seeks

to advance American policy interests through dialogue and not through threats.

There is a new German coalition government in place that we are now engaging with. It is a government that appears to be more skeptical about the Nord Stream 2 Pipeline. They have paused certification of the pipeline and stalled its operation until at least later this year, and the new government has indicated that this pipeline is not just an economic project.

So it is very clear that the dynamics have changed, and when the dynamics change on the ground, then our approach and our foreign policy should reflect those changes. We can't look at this legislation in isolation.

This legislation that Senator CRUZ is proposing that we are going to be voting on today is coming at a time when the administration is exhausting every single diplomatic avenue to deter Putin from further violating Ukraine's territorial integrity.

Russia has amassed over 100,000 troops on Ukraine's border, and, of course, the next month or so is really going to be critical in changing Putin's calculation that any invasion would come with a hefty price.

Nord Stream 2 right now presents a potential incentive for Putin to use against our European partners, but it is also leverage. It is leverage that the West can use at a pivotal moment as Russia is thinking about—Vladimir Putin is thinking about what he is going to do in Ukraine.

So I believe we need to stop this pipeline long term, and there may be a time in the future when another change in our approach on the pipeline may be necessary. As we know, that happens with foreign policy. We don't live in a static world; it is dynamic, and it demands that we adopt our responses.

I have joined Senator MENENDEZ and 38 Democrats in introducing the Defending Ukraine Sovereignty Act of 2022, legislation that does reflect the reality on the ground, that would impose swift and crippling sanctions on Russia's economy if Putin decides to invade. It would provide critical additional military support to our Ukrainian allies, and it would strengthen support to our Eastern European allies in the face of Putin's attempt to look backward, not forward.

We are not going to give Vladimir Putin and Russia the ability to veto who joins NATO. We saw that very clearly at the session yesterday with Russian and NATO officials. Russia didn't like it because they didn't get the answer they wanted, which was a veto over who should be able to join NATO.

We are going to continue to take a strong stand with our allies in opposition to what Russia is doing, but we can't use yesterday's solutions to help us solve today's problems. The immediate threat that we are facing right now is the threat of a Russian invasion

of Ukraine, and we need to do everything possible, work as closely as possible, show no daylight with our allies in standing up to that threat. Unfortunately, what Senator CRUZ is proposing with the Nord Stream 2 sanctions legislation would do exactly that. It would drive a wedge between us and our allies, particularly between the United States and Germany, at a time that we cannot afford it.

So I intend to vote against this legislation and support Senator MENENDEZ's legislation that will give us the tools we need to continue to address potential Russian aggression.

I yield the floor and look forward to hearing Senator MURPHY's comments because I know he shares the same concerns that I am expressing.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, first and foremost, let me thank Senator SHAHEEN. She has been a leader in the Senate and in our caucus on raising alarms about the danger of Nord Stream 2 to European security and Ukrainian security. I have been so glad to work with her over these past several years, and I am here on the floor to join her in our strong opposition to the legislation that is pending on the floor as we speak.

If this bill passes, it won't make the Nord Stream Pipeline any less likely. It won't stop Russia from invading Ukraine. In fact, it will do the exact opposite. It will make the completion of Nord Stream more likely, and it will be a gift to Russia, dividing us from our European allies right at the moment when we need to be in solidarity with them in order to deter Russian aggression.

I will try not to repeat too much of what Senator SHAHEEN has said, but let me just underscore the points she has made.

First, the sanctions in this bill are, unfortunately, pretty feckless. They are feckless because they can be undone easily, within 30 to 60 days, by the Russian Government.

The reality is, if we don't convince our European partners to stop moving forward with this project, there is no amount of U.S. sanction that can be effective here. What we know is that even if you were to sanction this German-Swiss company, the German board of directors, in a matter of days, weeks, maybe a few months, the Russians could reengineer the financing and the administration of the project to keep it going.

Even more interesting to me is what Senator MCCONNELL just said. Senator MCCONNELL just came to floor and said that while he supports Senator CRUZ's proposal, he expects that the Biden administration will waive the sanctions. So then why are we engaging in this in the first place if Republicans are going to support the waiving of the sanctions? Because the sanctions would interrupt our negotiations with Germany, why pass the bill in the first place?

So, apparently, many Republicans are supporting the Cruz bill but then are going to be asking the Biden administration to not implement it. That doesn't seem to make a lot of sense.

The primary impact of this bill, as Senator SHAHEEN explained, is to divide us from Germany. Why is that? Because we know that the only way to stop Nord Stream 2 is by convincing the Germans and other Europeans to stop the project.

Now, we have, for the first time since we began talking to the Germans about this, convinced them to press pause—the first time the German Government has decided to press pause through their regulatory agencies. They have stopped the certification of the pipeline, which, by the way, is built. It was 95 percent built when President Trump left office. He let it be constructed—95 percent built. It is now 100 percent built.

But the Germans have, because of American diplomacy and because of the threat of invasion of Ukraine from Russia, pressed pause on this project. It can't start until the summer or the fall, and, frankly, that time allows us to continue to engage with the Germans and others to try to convince them that this project is not in their interest.

So think about this from the German perspective. They finally said yes to the United States, and the minute they say yes is the minute the U.S. Senate decides to sanction German citizens. That is bad diplomacy. It is just bad diplomacy. It is a moment at which we have to be in lockstep with our European partners. We need to be sending a message to Vladimir Putin that the United States and Europe are together and that we are going to deliver a crushing package of sanctions if you enter Ukraine any further.

This would be a gift to Vladimir Putin because it is a signal of division at a moment when we need to be standing together.

Senator MENENDEZ has the right approach. Senator MENENDEZ has proposed a bill which I think can draw support from 90 percent of this body that enacts a set of sanctions on Russia if Russia moves any farther into Ukraine beyond where they are already in eastern Ukraine and Crimea. That sends the right signal. That is an effective message of consequence rather than this proposal, which apparently is a set of sanctions Republicans are going to ask to be waived and divides us from our partners at a moment when we need to be together.

Lastly, I want to address one particular point that I have heard Senator CRUZ make over and over and over again in defense of his proposal.

Senator CRUZ says that the construction of the pipeline stopped when Congress passed the Nord Stream sanctions and didn't begin again until Joe Biden became President. I have seen that repeated in the press, and it just isn't true.

One company that was laying the pipeline backed out of the project when the 2019 sanctions bill was passed, but then guess what happened. Russia started retrofitting other ships to finish the job, and the minute they were permitted, construction began again—not when Joe Biden was President; when Donald Trump was President. The ships were ready in May of 2020, before Joe Biden was even nominated, and they started work a few months later, as soon as the Danish Government permitted them.

Now, Senator SHAHEEN and Senator CRUZ had passed a sanctions bill with all of our support at the end of 2019. During all of 2020, while the Russians were retrofitting these ships, while they were sending them back to Danish waters, while the permitting process was happening, Donald Trump didn't enact one sanction that was permitted by Congress.

Congress passed a law at the end of 2019. In all of 2020, Donald Trump didn't enact a single sanction. This was the critical moment. This was the time in which the meat of the pipeline was being built. President Trump did nothing, and he paid no consequence for it. Do you know why? Because in 2020, Senator CRUZ didn't hold up any of Donald Trump's State Department nominees when Trump was refusing to implement sanctions, when the Russians sent ships that started showing up to restart construction, not even when construction restarted in the fall of 2020—nope. During this time, all of Trump's State Department nominees sailed through without a single Republican objection or blockade.

On Trump's last day in office, his last day, literally as he was packing up the Oval Office, January 19, he sanctioned one ship and the company that owned the ship—essentially a signal of how little he cared. On the day he was leaving, he sanctioned one ship and the company that owned the ship, but by this time, 95 percent of the pipeline was complete. It was too late. Then he begrudgingly hands over the keys to the Oval Office to Joe Biden and leaves the incoming President with a mess—a pipeline 95 percent built that Donald Trump could have stopped if he had used the sanctions he was given.

So you can understand why some of us wonder what the motivation is behind Senator CRUZ's extraordinary tactics now when the pipeline is already built. It seems that the difference between 2020 and 2021 is essentially that now there is a Democrat in the White House.

This bill isn't going to help Ukraine. It is designed to hurt the President of the United States. Unfortunately, some—not all—not all but some of our Republican colleagues here have consistently put their desire to politically harm President Biden ahead of their desire to protect the Nation, holding up the confirmation of President Biden's nominees. It doesn't help the security of the Nation; it just increases

the chances that the United States won't have the personnel on hand to deal with a crisis somewhere around the world when it develops and that that failure may hurt Joe Biden's approval rating. Unfortunately, I think that is what is going on here. Unfortunately, I think that is what is going on here, and I hope that my colleagues see it.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from New Hampshire.

Mrs. SHAHEEN. Would my colleague yield for a question?

Mr. MURPHY. I would.

Mrs. SHAHEEN. Senator MURPHY, I am really pleased—sadly pleased, but I think it is really appropriate that you brought up the issue about holding State Department nominees, because one of the things that have been unfortunate about Senator CRUZ's approach to Nord Stream 2 in recent weeks has not just been his holding up of nominees but has been his suggestion that the change in response on my part and on others' who oppose Nord Stream 2 has been partisan.

But, as you point out, during all of the Trump administration, Senator CRUZ did not hold one nominee because of Nord Stream 2. Is that your understanding?

Mr. MURPHY. That is my understanding. My understanding is that there may have been private advocacy or public speeches given but that there certainly wasn't the tactic used that had been used during 2020, which is extraordinary, the holding of all nominees.

I think I would add to that that Democratic Senators have not used that tactic. We had huge disagreements with President Trump's policy, including his failure to use sanctions that were given to him by Congress to stop the pipeline at the moment when those sanctions would have been most effective, but we didn't block all of President Trump's Ambassadors and State Department personnel because we thought that it was better to have those people on hand, working to protect U.S. interests, than it was to have those positions vacant.

That is the case we have been trying to make on this floor, that if you really care about helping Ukraine, why did Senator CRUZ spend all of 2020 blocking the Ambassadors and State Department personnel whose job it would have been to help Ukraine?

No one has been more engaged on this question and this fight than you have, Senator SHAHEEN.

Mrs. SHAHEEN. Well, I think the other important point that we both made is the fact that what stopped policies and the pipeline when the first sanctions bill was passed was the threat of sanctions; it wasn't actually implementing those sanctions. In fact, it was then Russia's ability to come back in, retrofit ships, and do the work themselves, Gazprom and Russia. Rus-

sian ships did the work themselves, and throughout the last year of the Trump administration, they refused to take any action to address that. In fact, I remember being in a meeting—I can't remember if you were in that meeting or not—with Senator CRUZ and some of our Republican colleagues and a member of the administration urging us to pass another sanctions bill because the administration had not acted.

So I think it is really important, as you say, to point out that 95 percent of that pipeline was done under the previous administration when Senator CRUZ and our colleagues who would like to stop the pipeline had the opportunity to hold up his nominees to raise those concerns, and that did not happen. That puts us at a disadvantage today as we look at the threat of Nord Stream. Would you agree with that?

Mr. MURPHY. I would.

If you don't mind, Senator SHAHEEN, I will just go through the timeline once again because I think it is important.

In December of 2019, Congress passed the sanctions bill that you and Senator CRUZ championed. That stops Allseas, the private company, from constructing the pipeline.

They pull back, but immediately Russia starts retrofitting their own ships, and we knew it. We saw it. This wasn't secret. That happens from the beginning of 2020, and by May of 2020, those ships are on their way.

From May until October, they are caught up in permitting, but it is just a matter of time. Everybody knows those ships are eventually going to start laying down pipe.

By October of 2020, before Joe Biden is elected President, those ships are back doing construction.

In October, November, December, all throughout the end of 2020, those ships are back rebuilding the pipeline, such that on January 19, the last day of Trump's Presidency, 95 percent of the pipeline—somewhere around 95 percent of the pipeline—is done.

Then literally walking out the door, Donald Trump lays down a sanction on one company and one ship that the company owns.

All through 2020, there was no blockade of State Department nominees, no grinding to a halt of Senate nominations business to try to prompt the President to change his mind. All of that magically starts happening when Joe Biden is President, when 95 percent of the pipeline is done.

I hope, Senator SHAHEEN—and I will let you wrap up—I hope that we can find a way to get on the same page here because we have been for much of the last several years, and you have led that effort.

I think Senator MENENDEZ's legislation, which is all about the right set of incentives and disincentives for Russian behavior, is perhaps the means that we can sort of elevate this above the question of who is President and get back to fighting for the interests of our Nation and the interests of our partners in Ukraine.

Mrs. SHAHEEN. Thank you, Senator MURPHY. I couldn't have said anything better.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, just a quick observation or two about what my colleagues from New Hampshire and Connecticut were just speaking to, and that is the issue of the Nord Stream 2 Pipeline. I intend to talk about another subject, but as I was listening to their dialogue on that subject, there were a couple of things that I thought were important to respond to.

They had indicated that there is a bill offered by Senator MENENDEZ on their side of the aisle that they thought would get 90-plus votes here in the U.S. Senate. I would say to my colleagues on the Democratic side that Senator CRUZ, as he was advocating for a vote on his amendment, offered that up. He offered up a vote on Menendez and a vote on his amendment to Menendez, and that was turned down by the Democrat leadership. So that was put forward as an offer by the Senator from Texas, Senator CRUZ.

Just to also make the point—this isn't something that is a new issue for him. He has been advocating on the Nord Stream 2 Pipeline for years. In fact, there were sanctions put in place under the previous administration, which I think had been quite effective.

With respect to holding State Department nominees, sometimes around here, you have to get people's attention in order to get a vote on something. I mean, he didn't have to hold nominees in the last administration because they allowed for a vote. In this administration, that has not been the case. He has been trying for literally weeks and months. I happened to be here in the wee hours of the morning a few weeks ago on a Friday evening when this was being discussed, and we were waiting for some agreement between him and the Democrat leadership about giving him a vote on this amendment. Ultimately, when he got the vote on his amendment, he turned loose 40-some State Department nominees.

So I think he has in this case played fairly, played by the rules in the Senate, and exercised the leverage he has as a U.S. Senator to ensure that he got a vote on an issue that is critically important, not only to him and I would say to this entire body but to our country and certainly to our allies in that region.

There is one final point I will make. Everybody, as they were talking about this, was saying: Wow, you know, this

is—all of a sudden, this issue has become a relevant one.

Well, it has always been a relevant one. Defending and supporting people in Ukraine and making sure they have a democratic government that allows for self-rule is something that I think all of us in this country want to see happen.

But I think one of the reasons it has come to a head is because last year—not last year but 2 years ago, the previous administration—the Senators from New Hampshire and Connecticut were going after Senator CRUZ and other Republicans for not paying attention to this issue a long time ago.

We have been paying attention to it for a long time, but one thing that has intensified that attention is the fact that the Russians now have tens of thousands of troops on Ukraine's border. That is a new issue and an issue that I think demands the attention of this body, our country, our government, our State Department, and the American military, in conjunction with our allies in that region.

This is a critical time. It is very important that a strong message be sent. I am not sure why you would wait until after the Russians cross the border and occupy Ukraine before you do something that might deter that kind of bad behavior.

I think the reason they have amassed the troops they have on the Ukraine border is because they perceive the change of administration, perhaps a different view, and, in fact, I think that buildup started in the spring of 2021 under this administration.

So just to make the point that the vote we will have this afternoon on Senator CRUZ's proposal on Nord Stream 2 has been a long time in the making—he has, I think, consistently worked this issue, advocated for this issue in a way that any Senator who is trying to get a vote around here would.

I think with respect to why this issue is now particularly relevant in light of our national security interests is the fact that the Russians do have literally tens of thousands of troops sitting on Ukraine's border at a time when the world is a very dangerous place, and that region in particular faces considerable peril because of the neighborhood in which they live.

So I would hope that this afternoon when this Nord Stream 2 vote comes up, that it will enjoy broad bipartisan support recognizing the value and importance of the message it sends.

Also, I might add, because it was also pointed out by the two Senators who were just here, that this is something that the Ukrainian Government is asking us to do. They suggested this was something that isn't desired or wanted, and it, in fact, is. Many of us participated in a conference call on Christmas Eve with President Zelensky in which he voiced support for this. I think he and his country, his government, and his people realize how important it is that a message be sent to their neigh-

bors and that the American Government, in concert with our allies in this region, send a very strong statement with respect to that particular issue.

So I hope that we get a good, strong vote this afternoon and that it won't be a party-line vote. It is at 60, meaning it will take some Democrats to vote with Republicans. But I can't think of a time when the stakes have been higher for the people of Ukraine or, frankly, for that matter, for that region in its entirety.

INFLATION

Mr. President, I want to shift gears now, if I might. Yesterday, we learned that in December, inflation hit its highest level in 40 years—40 years. Inflation reached 7 percent in December, the seventh straight month that inflation has been over 5 percent. Today, we discovered that year-over-year inflation for domestically produced goods increased even more, by a massive 9.7 percent.

Americans are struggling under steep increases in grocery prices, fuel prices, utility prices, and the list goes on. Despite wage increases in 2021, American families experienced a de facto pay cut, with their purchasing power shrinking thanks to inflation, and there is apparently no end in sight.

Given the real economic harm that American families are suffering as a result of this crisis, you would think the issue would be front and center here in Washington for Democrats, but you would be wrong. In fact, a lot of the time, inflation doesn't even seem to exist on Democrats' radar. Democrats can't be bothered to pay attention to a real crisis with real economic consequences for American families because they are too focused on their manufactured voting rights crisis.

Earlier this week, President Biden traveled to Georgia, which has become the Democrats' poster child for the supposed assault on voting rights, to deliver a speech to gin up support for the Democrats' partisan election bill, and what a speech it was.

In the course of his overwrought and bombastic remarks, the President, who once vowed to bring Americans together, managed to imply that half the country is racist. Never one to let the truth get in the way of a good story, he continued his bizarre habit of falsely claiming that he had been arrested in various situations. He laid out, perhaps, the weakest case for a voting rights crisis that you can imagine.

The President, of course, used Georgia's thoroughly mainstream 2021 election law as his main example. Here is what he had to say. Here is what the voting rights crisis amounts to:

First, according to the President, Georgia is making it harder to vote by mail. Now, I am guessing he might be referring to the provision of the Georgia law that asks voters to write in their driver's license numbers on their absentee ballots. Given that almost every American in this country has a driver's license or some form of photo

ID, I have got to say that it doesn't seem like an unduly burdensome requirement. After all, New York City and Washington, DC, are now requiring you to present a photo ID and proof that you have been vaccinated before you can enter any restaurant or public place, and liberals seem OK with that, but, apparently, to the President, Georgia's measure is Jim Crow 2.0.

The President continues by accusing Georgia of limiting drop boxes. Ballot drop boxes have become a bizarre fixation of Democrats engaged in trying to persuade Americans that the right to vote is under attack. The truth is that Georgia didn't even use drop boxes until the 2020 election and that Georgia's new election law now requires at least one drop box in each county is hardly a criminal attempt to restrict drop boxes. But let's be honest here. Even if Georgia decided to eliminate drop boxes entirely and return to its pre-2020 status quo, Georgians would still have ample opportunities to vote.

Georgia's new law mandates a minimum of 17 days of early voting—17 days—and Georgia provides for no-excuse absentee voting, which means any Georgia citizen can request an absentee ballot for any reason whatsoever. That, of course, is a far more generous voting policy than those offered by the President or the Senate Democrat leader's home States. The President's home State of Delaware doesn't offer no-excuse absentee voting, and it is just starting to offer early voting this year—remember, Georgia with 17 days early voting, no-excuse absentee voting. Similarly, the Democrat leader's home State, Senator SCHUMER's home State of New York, offers just 9 days of early voting in contrast to Georgia's 17, and New York—the State of New York—on their ballot, recently rejected a ballot measure to allow no-excuse absentee voting.

So no-excuse absentee voting is not allowed in New York, but it is allowed in Georgia, with 9 days early voting in New York and 17 in Georgia. Yet, somehow, the President hasn't yet visited Delaware or New York to accuse them of making it difficult for citizens to vote. I will believe in Democrats' supposed commitment to protecting the vote when I see the Senate majority leader come to the floor and excoriate New Yorkers for attacking voting rights.

Continuing on with President Biden's speech, we come to, perhaps, the most ridiculous example the President and Democrats have used in their attempt to convince Americans that voting rights are under assault, and here I am going to quote directly from the President's speech:

[T]he new Georgia law actually makes it illegal—think of this—I mean, it's 2020, and now '22, going into that election—it makes it illegal to bring your neighbors, your fellow voters food or water while they wait in line to vote. . . . I mean, think about it. That's not America. That's what it looks like when they suppress the right to vote.

That is what it looks like when they suppress the right to vote? Really?

I mean, I have to give President Biden credit for delivering that line with a straight face because that is pretty much the most absurd claim Democrats have made in the course of this debate. The President, of course, is referring to the provision of Georgia's election law that prohibits individuals or organizations from giving food or drinks to voters within 150 feet of a polling place.

Now, just for purposes, again, of comparing and contrasting, the Democrat leader's home State of New York—Senator SCHUMER's home State of New York—has a similar provision preventing voters in line from being given anything, including food and water, whose retail value is in excess of \$1. This is the State of New York—the State of New York. But people are blowing a gasket over this provision in Georgia law—the very provision the State of New York has in law today. I would argue, in most States, you can't go within a certain number of feet of a voting place if you are a political operative or a political organization. I mean, that is true in our State, and I am sure it is true in a lot of States around the country. The aim of those laws, of course, is to prevent partisan political organizations or candidates from exerting improper pressure on voters in line.

Now, nothing in Georgia's law prevents partisan political organizations from setting up food trucks or lunch stations outside of the 150-foot radius and feeding voters to their hearts content—150 feet. That is 50 yards. Of course, Georgia's law explicitly allows nonpartisan poll workers to make water available to voters. An election worker, somebody who is involved with the actual vote itself, can deliver water to voters if they are waiting in line. It just prevents political operatives and political organizations from doing that—a law that, again, is consistent with laws throughout the country, including—including—the State of New York. Yet I suppose it is typical of nanny-state Democrats to think Americans are incapable of packing themselves a snack.

I am pretty sure—pretty sure—I have never seen a weaker case for a crisis. Take a look at Democrats' supposed evidence, and their case crumbles to dust, which, of course, raises the question of what is behind Democrats' manufactured crisis. Unfortunately, I think we know the answer. The Democrats have manufactured the supposed voting rights crisis in the hopes of forcing through election legislation that they hope will give them an advantage in future elections. More than one Democrat has openly admitted that Democrats want to pass a Federal election takeover because they think it will help their party win elections.

I don't blame Democrats for running scared. Between their inflation crisis, their border crisis, the President's humiliating, disastrous retreat from Afghanistan, the November election re-

sults in Virginia, and the fact that just one-third of the American people approve of the job the President is doing, the Democrats have reason to be scared about their 2022 electoral prospects.

FILIBUSTER

Mr. President, instead of addressing the inflation crisis they helped to create or, perhaps, moving their agenda from the far left and closer to the center, the Democrat leaders have decided that the solution to improving their electoral chances is to pass a partisan Federal takeover of election law and to break the Senate rules to do it. Apparently, they don't care what damage they do to the Senate and the country in the process. If Democrat leaders have their way, the longstanding protections for the minority in the Senate and the millions upon millions of Americans the Senate minority represents will be swept away in the name of, perhaps, improving Democrats' electoral prospects.

Although, I have to say, in the Washington Post Fact Checker about the Georgia law, which, by the way, gave the President four Pinocchios—four Pinocchios, which is pretty much the biggest whopper you can get—for his statements last year about this Georgia election law, they went on to say that the analysts who have looked at this—a lot of the analysis has been done by so-called election experts—think that it will expand—expand—the opportunity for people in Georgia to vote.

All of this is disheartening, to say the least, because I think we all know that, in the end, if you are going to blow up the Senate rules, that that has consequences that go on for a very, very long time.

There are Democrats in this Chamber today who still express, I think, regret for what happened in 2013, with respect to the executive calendar—which deals with executive branch nominees and judicial branch nominees, judges—because it led, in 2017, to the Republicans retaliating, following suit, with Supreme Court Justices.

I don't think you can—assume for a minute that, at some point, this flips. If Democrats blow up the rules to do this and create, I have to say, a manufactured crisis in order to do it, then you are not going to be able to blame Republicans, because once the rules are gone, the rules are gone. Then we become the House of Representatives, a total majoritarian body with longer terms.

That is not what the Founders intended. This place is here for a reason. It is here to represent the rights of the minority, the people who didn't win the vote, the people who might be in the minority party, who ought to have some say and some voice in the laws that are made here and the policies that are made here that are going to affect them and their families. I am hopeful that there are still some Democrats with doubts about this course of action, enough, perhaps, to block their leadership's partisan push.

In his inaugural address, the President of the United States vowed to be a President for all Americans. On Tuesday, he made it clear that he is becoming nothing more than a President for the far-left wing of the Democratic Party. In less than a year, he has gone from promising unity to sowing division. It is a sad epitaph to a Presidency that has barely begun.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRUZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 3436

Mr. CRUZ. Mr. President, the eyes of history are upon us today. Each of us will be faced with a momentous question: Can we put petty differences aside, and can we come together to defend our friend and our ally Ukraine against imminent Russian aggression?

This isn't theoretical. Russian tanks and troops are, right now, massed on the Ukrainian border, and they are preparing for invasion. The Senate, in just a few hours, will vote on a bill that represents the best way to deter Putin from invading Ukraine by sanctioning the company that is racing to finish and make operational the Nord Stream 2 Pipeline, which Putin desperately wants completed so that he can use it as a cudgel against our European allies. If we don't come together today, Ukraine risks getting wiped off the map altogether.

Putin didn't just wake up one day and decide he wanted to invade Ukraine. He has wanted to invade Ukraine for years. He did so already in 2014, but he stopped short of a full invasion because he couldn't endanger Ukraine's energy infrastructure, which he needs to get Russia's natural gas to Europe. That stopped Putin from marching all the way to Kiev. The next year, in 2015, Putin began the Nord Stream 2 project—to build a pipeline to go around Ukraine so that he could get his gas to Europe and invade Ukraine with no risk to the billions he relies on every year.

Nord Stream 2, as we know and as we have heard from Republicans and from Democrats—literally hundreds of times over the past years on this floor, in committees, in briefings—Nord Stream 2 was designed to circumvent Ukraine. It is why the Senate has worked together for years, in a bipartisan manner, to stop Nord Stream 2 from coming online.

In 2017, Congress came together and passed the Countering America's Adversaries Through Sanctions Act, or CAATSA, which sanctioned investments in Russian energy export pipelines.

In 2019, Congress passed Protecting Europe's Energy Security Act, or

PEESA, which sanctions Nord Stream 2 directly. I authored that bill, along with Democratic Senator JEANNE SHAHEEN.

And, in 2021, Congress expanded those sanctions in the Protecting Europe's Energy Security Clarification Act. Again, I authored that bill, along with Democratic Senator JEANNE SHAHEEN.

For the next several hours, this body will revisit and debate this issue once again. We will revisit our successes from 2019 to 2021 in using targeted sanctions to end construction of the pipeline.

When President Trump signed our bipartisan sanctions into law, Putin stopped construction of the pipeline literally 15 minutes before the law became effective. Sanctions worked. They succeeded. Together, we won a bipartisan foreign policy and national security victory.

But we will also revisit in this debate the catastrophic decision President Biden made in May of this year to waive those sanctions. The sanctions that had worked, the sanctions that were successful, President Biden waived them nonetheless.

When this debate is over, each of us will have to decide whether he or she will vote to finally and definitively put an end to this pipeline through mandatory sanctions.

Our Ukrainian allies are crying out for us to do so. Ukraine's President and Prime Minister and Speaker of the Parliament have all explicitly and passionately done so in recent days. Ukraine's Prime Minister said last week that Nord Stream 2 is "no less an existential threat to [Ukraine's] security & democracy than Russian troops on our border." That is the Prime Minister of Ukraine begging this body, the U.S. Senate, to help him.

Just this week, a public letter from leaders in Ukrainian civil society said—and I want to quote this at length. They said:

Since late October 2021, Russia has amassed more than 120,000 troops close to the Ukrainian border along with the logistical support for a major new offensive. This menacing build-up had been accompanied by increasing belligerent rhetoric from senior Russian officials. We believe the green light given to the Nord Stream 2 pipeline in May 2021 served as one of the key triggers for the current crisis and must be urgently revised.

In ordinary times, that open letter from Ukrainian civil society would resonate with both Democrats and Republicans. This is a plea for help.

Opponents of our legislation are clutching at pretexts to avoid doing what we have done many times before, and I want to address those pretexts one at a time.

One argument we have heard again and again is that imposing sanctions on Nord Stream 2 AG, the Gazprom-owned cutout that runs Nord Stream 2, would shatter European unity. That is an argument that is being repeated by the White House repeatedly—that this is all about transatlantic unity; we

should give Putin its pipeline because of transatlantic unity.

I urge every Senator to ask a simple question: What unity and with whom?

In January, the European Parliament voted to condemn and stop the Nord Stream 2 Pipeline. The vote was 581 to 50—581 to 50. If you care about transatlantic unity, let me suggest that we side with the 581 and not the 50. The Biden White House's argument is literally: Go with the 50 in the name of transatlantic unity.

I don't know how you stand up and make that argument with a straight face—581 to 50.

In August of 2021, the chairs of the Foreign Affairs Committees in nine countries opposed explicitly the Nord Stream 2 U.S.-German agreement—the Biden agreement—to allow the completion of Nord Stream 2. Among those countries that explicitly opposed that agreement: Estonia, the Czech Republic, Ireland, Latvia, Lithuania, Poland, Ukraine, and the United Kingdom. Are those countries Europe? Do we care about transatlantic unity with those countries that are begging us to find the courage to stand up to Vladimir Putin?

When President Biden made his deal to allow the pipeline to go through anyway, the Foreign Ministers of Ukraine and Poland issued a remarkable joint statement declaring that the decision President Biden made to surrender to Putin, that it created an immediate "security crisis" for Europe. They told us then—Ukraine and Poland both told us then—that, as a result of waiving sanctions, we are going to see Russian troops. They were right. It is almost as if they understand their neighbor. It is almost as if they understand Putin's desire to reassemble the Soviet Union. It is almost as if they believe Vladimir Putin when he said that he believed the greatest geopolitical disaster of the 20th century was the dissolution of the Soviet Union, and he wants to bring it back together by force, which I would note would be a grave national security threat to the United States.

Now, some will say, when they say European unity, they really mean unity with Germany. Indeed, I have heard Members on this floor say: Listen, I am just not prepared to sanction Germany.

This bill doesn't sanction Germany. It doesn't sanction the German Government. It doesn't sanction the German company. It sanctions Nord Stream 2 AG, which is wholly owned and controlled by Gazprom. This is sanctioning a Russian cutout because this pipeline is a tool for Putin's aggression in Europe.

And even when it comes to unity in Germany, what they really mean is unity with Angela Merkel, and I will concede that. Angela Merkel wants this pipeline. I don't fully understand why, but she does. But Angela Merkel is no longer the Chancellor of Germany. Indeed, the German people went

to the polls, and they voted her party out of office. So one would think from the United States, to the extent we are concerned about standing with an ally, we should be concerned about the current Government of Germany, not the former government, and we should respect the views of the German people.

Now, the current Government of Germany is hopelessly fractured on Nord Stream 2. The Greens, who are part of this coalition government, passionately oppose Nord Stream 2. Vocally, repeatedly they have condemned Nord Stream 2, and they are an integral part of this German Government. But just a few hours ago, the German Defense Minister, on the other side, said Nord Stream 2 is off the table. They are not willing to do anything to stop Nord Stream 2. And the German Chancellor has said the same, declaring that he seeks a positive reset with Putin. This is the same Putin who has tanks on the border of Ukraine, and he is preparing to invade.

Another argument that we will hear is that sanctions should be kept in our pockets. We should reserve them for use later in the case of a Russian invasion. I would note, this is not what our Ukrainian allies advocate, and I have trouble believing anyone in this Chamber actually takes this argument seriously, nor should they. Putin doesn't.

Putin believes that once he brings Nord Stream 2 online, and once he has changed the region through invasion, that no one will have the will to impose sanctions. And I would note, he is not crazy to believe that.

When the Biden administration first capitulated to Russia on Nord Stream 2, the Biden administration and the German Government made a promise. They said if—if, if—Russia uses energy for energy blackmail, then we will stop the pipeline. They beat their chest with that promise. They were quite bold about it. I have had some Members of the Senate say: Well, we have got really strong promises from Germany now.

Well, what has happened since then? Russia has nakedly and unequivocally used energy for energy blackmail. Energy prices have skyrocketed in Europe, and Putin is openly boasting, he is laughing and saying: Well, turn Nord Stream 2 on and your energy prices will go down.

He is not hiding it. He is not pretending. He did exactly what the Biden White House and the German Government said: If you do x, we will stop it.

He did it openly, brazenly, laughingly, and absolutely nothing happened—zero, crickets.

Mr. President, I ask you, as a reasonable man, if the German Government and the Biden White House were unwilling to impose sanctions when Putin immediately triggered what they said was their redline, in what universe would the Biden White House or the German Government have greater resolve once millions of Germans are dependent on Russian natural gas from

Nord Stream 2 to heat their homes when it is literally stopping the Germans from freezing to death? Because that, if the Ukrainian pipeline is shut down, becomes the only viable source of heat. Do we really think they are going to have greater courage than than they have had so far? Nobody does. Putin doesn't.

It is important to understand that the debate before this Chamber is, Do we impose sanctions before an invasion in order to stop the invasion or do we threaten sanctions after an invasion is done?

The bill that my colleague Senator MENENDEZ is pushing would do the latter. It would impose sanctions after an invasion is completed. I don't think Putin believes those sanctions would ever be imposed. But I can tell you, Ukrainian President Zelensky has very expressly addressed this issue. Here is what he said: "Only if the sanctions are applied prior to the armed conflict would they become a prevention mechanism for any possible escalation." That is the President of Ukraine begging the Members of this Senate to vote in favor of the bill on the floor today.

Today will be one of our very last chances to stop Nord Stream 2 and to stop an imminent Russian invasion of Ukraine.

Just a few minutes ago, two of my colleagues, Senator MURPHY and Senator SHAHEEN, had a colloquy in which they explained why they have flipped their positions. They and every other Democrat in this Chamber have voted for sanctions on Nord Stream 2 not once but twice. Every Democrat voted in support of my bipartisan sanctions on Nord Stream 2. Only two things have changed since all of the Democrats voted in favor of these sanctions: No. 1, the occupant of the White House, who now has a "D" behind his name instead of an "R."

The White House is furiously lobbying Democrats, asking Democrats to stand with their party—sadly, at the expense of our allies, at the expense of Europe, and at the expense of U.S. national security.

On the merits, this should be a very easy vote. And I would suggest, if Joe Biden were not President, if Donald Trump were sitting in the Oval Office today, every single Democrat in this Chamber would vote for these sanctions—all of them—as they did twice when Donald Trump was sitting in the Oval Office.

The other thing that has changed, by the way, is the Russian troops on the border of Ukraine, which is exactly what the Ukrainians and the Poles told us would happen when Biden waived these sanctions.

Those are the two things that have changed.

I have to say, my colleagues Senators MURPHY and SHAHEEN had a very odd colloquy because they decided to go after me personally instead of focusing on the merits of the issue. In par-

ticular, they said: You know, when Trump was President, Senator CRUZ didn't hold his State Department nominees over Nord Stream 2, and Trump didn't impose sanctions over Nord Stream 2.

Now, I recognize in politics sometimes, in the heat of the moment, you say things; you don't entirely think through them. But even in the annals of bad arguments, that is a singularly absurd argument. It is true I didn't hold the State Department nominees over Nord Stream 2. It is true Trump didn't impose sanctions. Why? Because we stopped Nord Stream 2, because we were successful.

When I authored the bipartisan sanctions, there were significant elements of the Trump administration that resisted it. The Department of the Treasury fought mightily against it. And I was more than happy to battle my own party on this because this was the right thing to do for U.S. national security. Is there even one Democrat with the courage to do that against his own party now that it is the other side?

The argument I didn't hold any nominees—why would I hold nominees? President Trump signed the bill. I have said from the beginning: If Biden imposes the sanctions, I will lift all the holds. I lifted 32 holds in December to get this vote.

My focus is on stopping this pipeline and stopping Putin and Russia. And their argument that, well, Trump didn't impose sanctions—that is correct, because Putin stopped building the pipeline.

I remind you of the timing. President Trump signed the bill, if my memory serves correctly, at 7 p.m. on a Thursday night. Putin stopped building the pipeline at 6:45 p.m., 15 minutes beforehand. There was nothing to sanction because they didn't commit the sanctionable conduct; they stopped. They only returned to building the pipeline—does the Presiding Officer know what date Putin began building the deep-sea pipeline once again? January 24, 2021, 4 days after Joe Biden was sworn into office. Putin knew that Biden was going to do what he did: waive the sanctions and surrender. The sanctions worked. We had a bipartisan victory that, inexplicably, this White House gave away.

I want to take a minute to speak to my Democratic colleagues.

Listen, there are lots of issues we are going to disagree with one another on a partisan matter. That is fine. We will talk about tax rates, whether they should be high or low. We can have good, vigorous arguments about that. That is a part of our democracy. But in this instance, the Biden White House is carrying out a policy that makes no sense, that abandons our allies, that is harmful to American national security, that strengthens and encourages the aggression of Vladimir Putin, a bully and a tyrant, and that makes war much more likely.

Most, if not all, of my Democratic colleagues know all of this. I am going

to ask my Democratic colleagues to do something hard, which is to have the courage to stand up and take some partisan grief for voting against the White House on this one. Save the White House from the mistake they are making. That is one of the roles of the Senate. We keep hearing the analogy the Framers used of a saucer to cool the tempers of the moment. The Senate did that with President Trump. The Senate should do so with President Biden as well.

In my 10 years in the U.S. Senate, I have taken a lot of votes. The Presiding Officer has taken a lot of votes. There are very few votes that I think are as consequential as the vote we are getting ready to take.

If Senate Democrats put partisan loyalty above national security, if they vote simply by party line, it will dramatically increase the chances of a violent Russian invasion of Ukraine. Days or weeks or months from now, if we turn on the television set and see Russian tanks in the streets of Kiev, the reason will be that the U.S. Senate heard the pleas of our Ukrainian allies and we turned a deaf ear to them. I pray that we don't do so. The eyes of history are upon us, and this body, Republicans and Democrats, should rise to the occasion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

VOTING RIGHTS

Mr. DURBIN. Mr. President, earlier today, the Republican Senate leader came to the floor and noted the fact that when the American people were asked about the issues of the moment, they didn't mention their right to vote. I think most Americans would be surprised that we are even debating that issue at this moment in American history.

We know the right to vote has been contentious, divisive, deadly when it comes to the policies of this Nation and particularly the policies of individual States. It was one of the critical reasons, in addition to the hideous institution of slavery, that we went to war among ourselves and 600,000-plus Americans gave their lives. It really was at the heart of what happened after that when the North prevailed, the Union was saved, and the President of the United States, a man from Illinois, not only created an Emancipation Proclamation but set the stage for constitutional amendments which guaranteed that right to vote.

So I imagine some people would be excused if they didn't list it as the highest priority. They probably assume it is really not an issue for debate, but it is. You see, in this last Presidential election, we had two or three historic things occur.

First, the turnout of American voters was unprecedented. That is a good thing. In a democracy, it is to be applauded, and each year, we should try to improve on that outcome.

The second thing, though, we would have to put in the liability column, and

that is a petulant former President who refused to even acknowledge that he lost the election and instead claims that he was abused and that it was stolen from him. That fanciful lie is now making its way across America back and forth as former President Trump peddles it in every quarter. Unfortunately, some people are listening. Some 30 percent of American people agree with the former President that the election was stolen from him.

He couldn't win that argument in any courtroom. He couldn't even convince his handpicked Attorney General to back him up. So he resorted to sending a mob of his followers on January 6, 2021, to storm this Capitol. For the first time since 1812, we were invaded by people who did not subscribe to the basic tenets of our Constitution. It was a grim day. I will never forget it. Those who were here, I am sure, say the same. But it set the stage for a campaign that has followed for more than a year.

This morning, we read in the paper that some eight Republican attorneys general are going to close ranks in a Trump-inspired alliance to change election laws across America to his liking. Shame on them, and shame on anyone who thinks that is what America is all about.

We should encourage more and more of those legally eligible to vote. We should make it an easy exercise and not a hardship and burden. But the States—almost 20 of them now—are in the process of changing the laws in their States on voting and, with each change in the law, making it more difficult. Oh, it doesn't sound too reprehensible on its face, until you add it all together: the notion that people would have less time to apply for absentee ballots; the fact that they would have to come up with a good reason; that their applications for those ballots would have to contain certain information, which is new and sometimes challenging to individuals; limiting the periods of time that people can vote; limiting the opportunity to register to vote in special elections, as in the State of Georgia. Each one of those is an additive factor to reducing the likelihood that people will turn up and vote—even this notion in Georgia that you can't provide food and drink to voters waiting in line.

Well, in my hometown of Springfield, IL, we vote in the Park District. There is seldom a wait of more than 5 minutes. That is about the average across America, but we know there are exceptions. We have seen people waiting in line much longer. In fact, one State found that African Americans waited in line an average of 50 minutes—not 5; 50 minutes. The idea of perhaps giving someone a drink of water under those circumstances is now against the law in Georgia. It is hard to imagine. That is just one of the things they wanted to add to the burdens of voting in America.

So when we come to the floor and discuss voting, and the Republican

leader tells us people don't care—I bet they will when they come to realize what is happening.

It is interesting that he notes that what they do care about—they care about the coronavirus. I do too.

I didn't have to check the voting records to know what I am about to say is true. That Senator from Kentucky and every other Senator on that side of the aisle voted against Joe Biden's American Rescue Plan.

In the beginning of his administration, he had a bold, policy-driven piece of legislation called the American Rescue Plan, which set out to do something that had to be done. Yes, we had found the vaccines, but in order to produce them and to administer them, we needed a program that cost money.

Joe Biden stepped up and said: This is what we are going to do. We are going to get this job, this shot, available to Americans across the board, and we are going to spend the money to do it. It does no good to have a formula that can save your life, and yet you can't access it or pay for it.

So he put it in the American Rescue Plan. It just made common sense, didn't it? With so many people dying and sick, that we have an ambitious, unprecedented, historic administration of that vaccine across America? It was an easy vote for me and for every Democrat and obviously easy on the other side for Republicans because not a single one, including the Republican leader from Kentucky, would support President Biden in that effort.

There was money in there as well to keep businesses open so that they could hire back their people, go back in business. I don't know about the Presiding Officer's State. I am sure New Jersey is similar to Illinois. But I have talked to a lot of restaurateurs who walked up to me and said: Senator, we never met before, but if you hadn't voted to give me a chance to reopen this business, I wouldn't be here today.

That is the reality of the bill that the Republicans all, every single one, voted against. So it is no surprise that they come to the floor critical of Joe Biden and his Presidency and saying he just doesn't understand the real issues. Well, the coronavirus is a real issue. The President's response was a real response. Sadly, the unanimous opposition to the President by the Republican side of the aisle was also a real response.

I can remember, coming out of college and hearing about the Voting Rights Act being debated right here on the floor of the U.S. Senate, and as I have said before on the floor—and I won't belabor it—I have taken the time over the years to understand what led up to it—Reconstruction, Jim Crow, the great migration, and all that followed from that.

And my friend—and she is my friend—Carol Anderson, a professor at Emory University in Atlanta, GA, has written a book called "One Person, No Vote." She flattered me and asked me

to write the forward to the book, which I gladly did, and then read it and thought: What an incredible story it tells us about America and the battle to win the vote.

I remember—as I mentioned, I was young and fresh out of college and law school—when Dr. Martin Luther King came to the city of Chicago. I remember it well because I was in the midst of working as a young man on a political campaign. And it made all the headlines when Dr. Martin Luther King, Jr., decided to walk through Marquette Park. That particular parade—that protest—drew violence from people dressed in Nazi uniforms, throwing rocks at him, and jeering at those who supported his effort.

I remember that because, nowadays, when you talk about Dr. Martin Luther King's day of observance, which is coming up next week, people have a tendency to think of that in gentle and positive terms—and it should be. But let's not forget the price he paid—ultimately, his life—to deliver that message to a divided America. And so when we talk about why he did it and what it meant to us, one of the guiding factors was the right to vote and his belief that, from Reconstruction forward to his day, we were still finding ways to deny the right to vote to African Americans and others in this country. It was that fundamental an issue—an issue he was willing to give his life for.

For some of us, Martin Luther King Day will be a day of reflection, a chance to envision in America what it truly means to be “free at last.” But it is also a day of action. Let's hope we have some action here on the floor of the U.S. Senate.

Each day we open the session in the Senate by pledging allegiance to the flag. That is a good thing. I do it out of respect and gladly so. But we don't stand here and pledge allegiance to the filibuster. The filibuster is a Senate rule, not that long in its history, that is an interpretation of what the Senate is about. It has changed over the years over and over again. It is not sacred. It is not constitutional dictum. It is, in fact, the best efforts of politicians in this Chamber, in their day, to write a rule that establishes a minimum vote.

What does it mean to us? Well, it means a lot. In a Senate that is divided 50–50—50 Republicans and 50 Democrats—it means that there are measures which require 60 votes. It used to be a rare occurrence in this body that someone would invoke a filibuster, and yet now it has become virtually commonplace.

If you just look at the last 5 or 10 years, you can see a change in the Senate, a dramatic orchestrated change in the Senate. What was uncommon, requiring 60 votes for a measure, has now become the standard, and, of course, what that means is very few things come to the floor of the Senate.

When the Republicans were in control, just a few years ago, during the course of an entire calendar year, on

the Senate floor we voted for 26 amendments—26. In the normal history of the Senate, hundreds of amendments are voted in the course of a year. But because of the filibuster and the design of many to slow down and stop the business of the Senate, in 1 year we voted for 26 amendments—26.

And that is what happens when you shut down debate. That is what happens when you shut down opportunity for amendments. And that is what happens when you pledge allegiance to the filibuster.

We have to be honest about this. There should be an exception written in for the filibuster when it comes to voting rights. Something as fundamental as our constitutional authority to vote should be given the day for argument on the floor of the Senate and should be subject to a majority vote, up or down. That is not too much to ask.

I would rather pledge allegiance to the flag and to the voting authority in America that it represents than to the filibuster, a rule which has been misused as much as it has been properly used in its history.

There are many enduring victories we can attribute to Dr. King and the civil rights movement. But the Civil Rights Act of 1964 and the Voting Rights Act of 1965 are certainly high on the list. These laws put a stake in the heart of Jim Crow, expanding voting rights to generations of Black Americans.

Prior to the passage of these laws, State legislators throughout the Deep South had disenfranchised voters of color through a whirlwind of discriminatory legislation. These laws didn't explicitly ban Black Americans from voting. The 15th Amendment, ratified during Reconstruction, prevented them from doing that. But soon enough, these lawmakers discovered new ways to discriminate against voters of color. And in decades after Reconstruction, they erected barriers to the ballot box, like poll taxes, property ownership requirements, literacy tests.

When it comes to Jim Crow laws, it is easy to get caught up in abstractions and generic descriptions. You hear the phrase “literacy test,” that was used even into the 1960s in America, and you think: Well, that just means I have to read at grade-school level, right?

Wrong. A poll test from a Louisiana parish had questions on it which I struggle to answer even today. And they were designed to make sure that voters wouldn't be able to answer. “Draw a line around a number or letter of this sentence.” What the heck does that mean? And on and on.

I share this example to demonstrate what voter suppression looked like in the days of Dr. King. In the words of historian Carol Anderson, whom I mentioned earlier, tactics like literacy tests were “legislative evil genius.” They didn't disenfranchise voters on the basis of their skin color outright. But they were only administered to

some voters, and you can imagine which ones.

Thank God the Members of the Senate on a bipartisan basis decided in the 1960s to outlaw this legislative sleight of hand. Our predecessors didn't cave in to the disingenuous cries of “States' rights,” which we hear to this day on the Republican side of the aisle. Our predecessors understood that voting is a fundamental liberty. It should be treated differently. It is the reason we pledge allegiance to that flag, because we make the decision, under that flag, of who governs us.

Right now, millions of American voters are facing a new wave of voter suppression laws, and much like the proponents of Jim Crow laws did in their day, Republicans State lawmakers today are erecting new barriers to the ballot box, latching onto the myth of “widespread voter fraud.” That is what the State legislative leaders are saying. Where could they have come up with that idea? Is it possible that it is a disgruntled former President with a bruised ego because he lost his effort for reelection in 2020?

The reality is, the laws they are passing in these States are not about preventing voter fraud. They are about preventing eligible Americans from voting. The nurse working back-to-back shifts on election day, the single parent who doesn't own a car or can't afford a babysitter, or a person living with a disability—should we be concerned as to whether they have an opportunity to vote? We certainly should.

The new laws enacted in nearly 20 States will prevent our most vulnerable neighbors from exercising their right to vote. That is why we ought to look at the Senate rules. It isn't just a matter of some theoretical academic debate on the rules. These are real-life decisions in States across the Nation.

And the most troubling of these laws take the assault of democracy even further. They give partisan actors more power to meddle and interfere in election administration. Some of the proposals we have seen can potentially allow partisans to overrule the valid votes of the American people and anoint a victor of their own choosing.

Over the next few days, I expect many of us will quote excerpts of Dr. King's most famous speeches. My hope is that we will take heed of the words he wrote in that letter from the Birmingham jail. In it, he responded to a group of White religious leaders who had pleaded with him and his fellow civil rights advocates to slow down, wait a little longer, racial equality is going to follow soon.

In response, Dr. King wrote: “For years now, I've heard the word ‘Wait!’. . . This ‘Wait’ has almost meant ‘Never’. . . We must come to see, with one of our distinguished jurists, of yesterday that ‘justice too long delayed is justice denied.’”

He continued, “We've waited for more than 340 years for our God-given and constitutional rights. . . I hope,

sirs, you can understand our legitimate and unavoidable impatience.”

The issue that we are debating on voting rights and the issue of our rules is not just a casual conversation about a rule book no one hardly knows of. It is an issue that does go to the heart of our democracy, to our pledge of allegiance to the flag, not to the filibuster.

The issue is our Republican colleagues are afraid of this debate. Traditionally, they played a key role in the passage of the Voting Rights Act in the 1960s. In fact, percentagewise, there were more Republican Senators voting for that than Democratic Senators. And I say that acknowledging that my Democratic Party, in those days, was not altogether on the right side.

We have been told that we are breaking the Senate if we change this rule to protect people's right to vote. At the heart of what the Senate is and what it stands for and the reason it exists is the right of Americans to vote.

Is it worth a carve-out? Is it worth a change? Is it worth a modification of the Senate rules to protect the right to vote? Can anything be more sacred?

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Ms. SINEMA. Mr. President, I rise at a challenging, divisive time for our Nation. For years, America's politics have spiraled steadily downward into increasingly bitter, tribal partisanship, and our democracy has been strained.

While that may sound abstract, it is a problem that hurts Americans in real, tangible ways. These deepening divisions hurt our ability to work together, to create new job opportunities, to protect the health and safety of our communities and country, and to ensure everyday families get ahead. Americans across the country know this. They see it every day, not only on social media and cable news but at their jobs and around their dinner tables. We are divided.

It is more likely today that we look at other Americans who have different views and see the other or even see them as enemies instead of as fellow country men and women who share our core values. It is more common today to demonize someone who thinks differently than us, rather than to seek to understand their views.

Our politics reflect and exacerbate these divisions, making it more and more difficult to find lasting, broadly supported solutions to safeguard our freedoms, keep our country safe, and expand opportunity for all our citizens.

So two questions face us as a nation: Where does this descending spiral of division lead, and how can we stop it?

Our country's divisions have now fueled efforts in several States that will make it more difficult for Americans to vote and undermine faith that all Americans should have in our elections and our democracy. These State laws have no place in a nation whose government is formed by free, fair, and open elections.

We must also acknowledge a painful fact:

The State laws we seek to address are symptoms of a larger, more deeply rooted problem facing our democracy—the divisions themselves, which have hardened in recent years and have combined with rampant disinformation to push too many Americans away from our basic constitutional values.

In the spring of 2017, after Trump took office, I wrote an opinion piece in the Arizona Republic highlighting my concerns about the strains on our constitutional boundaries and the shrinking respect for our founding constitutional principles. In the years that followed, my colleagues and I in this body were called upon to participate in two separate impeachment trials for crimes against our Constitution.

And on January 6, last year, I was standing in this very spot, speaking in this very Chamber, defending Arizona's fair and valid election against disinformation, when violent insurrectionists halted the Presidential certification.

Threats to American democracy are real.

I share the concerns of civil right advocates and others I have heard from in recent months about these State laws. I strongly support those efforts to contest these laws in court and to invest significant resources into these States to better organize and stop efforts to restrict access at the ballot box.

And I strongly support and will continue to vote for legislative responses to address these State laws—including the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act that the Senate is currently considering.

I support these bills because they strengthen Americans' access to the ballot box, and they better ensure that Americans' votes are counted fairly. It is through elections that Americans make their voices heard, select their representatives, and guide the future of our country and our communities.

These bills help treat the symptoms of the disease, but they do not fully address the disease itself. And while I continue to support these bills, I will not support separate actions that worsen the underlying disease of division infecting our country.

The debate over the Senate's 60-vote threshold shines a light on our broader challenges. There is no need for me to restate my longstanding support for the 60-vote threshold to pass legislation.

There is no need for me to restate its role: protecting our country from wild reversals in Federal policy. It is a view I have held during my years serving in both the U.S. House and the Senate, and it is the view I continue to hold. It is the belief that I have shared many times in public settings and in private settings.

Senators of both parties have offered ideas, including some that would earn my support to make this body more

productive, more deliberative, more responsive to Americans' needs, and a place of genuine debate about our country's pressing issues.

And while this week's harried discussions about Senate rules are but a poor substitute for what I believe could have—and should have—been a thoughtful public debate at any time over the past year, such a discussion is still a worthy goal.

But a discussion of rules falls short of what is required. American politics are cyclical, and the granting of power in Washington, DC, is exchanged regularly by the voters from one party to another.

This shift of power back and forth means the Senate 60-vote threshold has proved maddening to Members of both political parties in recent years—viewed either as a weapon of obstruction or a safety net to save the country from radical policies, depending on whether you serve in the majority or the minority.

But what is the legislative filibuster other than a tool that requires new Federal policy to be broadly supported by Senators representing a broader cross section of Americans—a guardrail inevitably viewed as an obstacle by whoever holds the Senate majority but which, in reality, ensures that millions of Americans, represented by the minority party, have a voice in the process?

Demands to eliminate this threshold—from whichever party holds the fleeting majority—amount to a group of people separated on two sides of a canyon, shouting that solution to their colleagues, and that makes the rift both wider and deeper.

Consider this: In recent years, nearly every party-line response to the problems we face in this body, every partisan action taken to protect a cherished value has led us to more division, not less.

The impact is clear for all to see: the steady escalation of tit for tat, in which each new majority weakens the guardrails of the Senate and excludes input from the other party, furthering resentment and anger amongst this body and our constituents at home.

Democrats' increased use of requiring cloture for traditional nominees under President George W. Bush led to similar tactics by Republicans under President Barack Obama. The 2013 decision by Senate Democrats to eliminate the 60-vote threshold for most judicial and Presidential nominations led directly to a response in 2017 by Senate Republicans who eliminated the threshold for Supreme Court nominees.

These shortsighted actions by both parties have led to our current American judiciary and Supreme Court which, as I stand here today, is considering questions regarding fundamental rights Americans have enjoyed for decades.

Eliminating the 60-vote threshold—on a party line with the thinnest of possible majorities—to pass these bills

that I support will not guarantee that we prevent demagogues from winning office.

Indeed, some who undermine the principles of democracy have already been elected. Rather, eliminating the 60-vote threshold will simply guarantee that we lose a critical tool that we need to safeguard our democracy from threats in the years to come.

It is clear that the two parties' strategies are not working—not for either side and especially not for the country.

I know it is comfortable for Members of each party, particularly those who spent their career in party politics, to think that their respective party alone can move the country forward. Party control becomes a goal in and of itself, instead of prioritizing a healthy, appropriate balance in which Americans' diverse views and shared values are represented.

But when one party needs only to negotiate with itself, policy will inextricably be pushed from the middle toward the extremes.

And I understand, there are some on both sides of the aisle that prefer that outcome, but I do not. And I know that Arizonans do not either. Our country's first President, George Washington, a leader whose wisdom I borrowed at the conclusion of the 2020 impeachment trial—he warned against political factions more than 200 years ago, saying that extreme partisanship could lead to the "ruins of public liberty."

"I was no party man myself," Washington wrote, "and the first wish of my heart was, if parties did exist, to reconcile them."

Today, we serve in an equally divided Senate, and today marks the longest time in history that the Senate has been equally divided. The House of Representatives is nearly equally divided as well.

Our mandate? It seems evident to me: work together and get stuff done for America.

And the past years have shown when a party in control pushes party-line changes exceeding their electoral mandate, the bitterness within our politics is exacerbated, tensions are raised within the country, and traditionally nonpartisan issues are transformed into partisan wedges.

We must address the disease itself—the disease of division—to protect our democracy. And it cannot be achieved by one party alone. It cannot be achieved solely by the Federal Government. The response requires something greater and, yes, more difficult, than what the Senate is discussing today.

We need robust, sustained strategies that put aside party labels and focus on our democracy because these challenges are bigger than party affiliation.

We must commit to a long-term approach as serious as the problems we seek to solve—one that prioritizes listening and understanding, one that embraces making progress on shared priorities and finding common ground on issues where we hold differing and diverse views.

This work requires all Americans everywhere. Efforts to fix these problems on a bare-majority party line will only succeed in exacerbating the root causes that gave way to these State laws in the first place, extending our dissent into a more fragmented America.

This work is our shared responsibility as Americans. I share the disappointment of many that we have not found more support on the other side of the aisle for legislative responses to State-level voting restrictions. I wish that were not the case, just as I wish there had been a more serious effort on the part of Democratic Party leaders to sit down with the other party and genuinely discuss how to reforge common ground on these issues.

My Republican colleagues have a duty to meet their shared responsibility to protect access to voting and the integrity of our electoral process.

We need a sustained, robust effort to defend American democracy, an effort on the part of Democrats, Republicans, Independents, and all Americans in communities across this country. So we ask, What must we do to protect our democracy?

We should invest heavily in recruiting and supporting State and local candidates for office—in both parties—who represent the values enshrined in our Constitution.

We should ensure we have a judiciary that is less lopsided in its political leanings and that we can all depend on to uphold the Constitution.

We must confront and combat the rise of rampant disinformation and ensure that all Americans have the tools to see fact from fiction. This will be particularly difficult work since some in power have used disinformation to manipulate our differences and pull Americans apart, pressuring us to see our fellow Americans as enemies.

The dangers facing our democracy took years to metastasize, and they will take years of sustained, focused effort to effectively reverse. There are steps that we can take today to fix our politics and better set the stage for repairing our democracy.

Many of you know I began my career as a social worker. And in our social work training, our first necessary skill is the ability to listen to others—listening not to argue or rebut but listening to understand. I ran for the U.S. Senate rejecting partisanship, willing to work with anyone to help Arizonans build better and more secure lives.

And throughout my time serving Arizona, I have listened to Arizonans expressing diverse views on inflation, economic competitiveness, climate, and social priorities, and the role of the Federal government itself.

I find myself grateful, time and time again, to learn from Arizonans who share the same core values but differ in position on issues and policies. Their similarities and their differences are surely representative of the complexity of Americans nationwide.

So I find this question answers itself: Can two Americans of sharp intellect

and good faith reach different conclusions to the same question? Yes. Yes, of course they can.

It is easy for elected officials to give speeches about what they believe. It is harder to listen and acknowledge that there are a whole lot of Americans with different ideas about what is important in our country and how to solve those problems.

And yet it is important to recognize that disagreements are OK. They are normal. And honest disagreements matched with a willingness to listen and learn can help us forge sturdy and enduring solutions.

You know, Congress was designed to bring together Americans of diverse views, representing different interests and, as a collective, to find compromise and common ground to serve our country as a whole.

We face serious challenges, and meeting them must start with a willingness to be honest, to listen to one another, to lower the political temperature, and to seek lasting solutions.

Some have given up on the goal of easing our divisions and uniting Americans; I have not.

I have worked hard to demonstrate in my public service the value of working with unlikely allies to get results, helping others see our common humanity and finding our common ground, and I remain stubbornly optimistic because this is America. We have overcome every challenge we have ever faced.

I am committed to doing my part to avoid toxic political rhetoric, to build bridges, to forge common ground, and to achieve lasting results for Arizona and this country. But we are in desperate need of more—more people who are willing to listen, to seek understanding, to stitch together the fabric of our country that has been ripping around the edges; more people who are willing to put down the sticks sharpened for battle and instead pick up their neighbors to learn why they are angry or upset or left behind.

So I call on each of us as Americans: Let us be those people. We are but one country. We have but one democracy. We can only survive, we can only keep her, if we do so together.

The PRESIDING OFFICER. The Senator from Kentucky.

S. 3436

Mr. PAUL. Mr. President, I rise today to speak against the sanctioning of German and Russian businesses over the transport of natural gas between their countries.

Proponents of sanctions say: Sanction this, sanction that. The Department of the Treasury is currently administering dozens of sanctions programs designed to change the behavior of certain countries. Yet, no one seems to ask the important questions: Do sanctions promote peace and understanding, or do they escalate tension between nations? What behavior has China modified since the United States began sanctions? Has Russia changed

her behavior? Has Russia given back Crimea? Sanctions, although lacking in proof of effectiveness, are very popular with both parties.

Embargoes, sanctions' big brother, also garner bipartisan enthusiasm. The U.S. embargo of Cuba has now gone on for more than 60 years without any evidence of a change in regime or even a change in the regime's policy.

Embargoes are often described, especially by the embargoed country, as an act of war. Many historians say that the U.S.'s embargo of 1807 ultimately led to the War of 1812. President Jefferson's embargo was intended to punish France and England for their aggressions, but instead the embargo crippled American shipping exports. Exports declined by 75 percent.

Some historians also blame the U.S. embargo of Japan for the ensuing war. Roosevelt seized many of Japan's assets, and Japan lost access to much of its international trade and over 80 percent of its imported oil. Effectively, at least from the perspective of Japan, the embargo was an act of war.

Yet enthusiasts for embargoes and sanctions still clamor for more. Sanctionistas point to the international sanctions against Iran as the lever that brought about the Obama-era nuclear agreement with Iran. Perhaps, but an equally valid argument could be made that it was the extension of carrots rather than sticks that brought Iran to the table. It is funny how diplomacy seems to require give-and-take, not just take, take, take.

Our interaction with Iran should illuminate today's debate over sanctions on the Nord Stream 2 Pipeline between Russia and Germany, but the shade of mercantilism is dimming the light of experience.

Opponents of the pipeline, not surprisingly, are largely from States that compete in the sale of natural gas. This is more about protectionism than it is national security. Reports are that the pipeline will cause a significant reduction in U.S. exports of liquid natural gas; hence the keen interest by people representing States that sell natural gas. This is not so much about national security; it is about protectionism.

Acknowledging that this debate is only superficially about national security and really more about provincial protectionism helps us better understand the dynamics.

History demonstrates that trade and interconnectedness between nations is a barrier to war. Engaging in mutually beneficial commerce, coupled with a potent military deterrence, is the combination that best promises peace.

Over the past decade, Congress and Presidents have heaped sanctions on Russia and China. When I have asked the State Department officials who come before our committee to reveal what behavioral changes have come about as a result of sanctions, I have often gotten blank stares.

Now, the sanctionistas want to sanction an already completed pipeline.

Last year, they said that if we put sanctions on, we will stop them. Well, the Senate and the House overwhelmingly passed sanctions. We got sanctions, and they still completed the pipeline.

But what behavior are they now asking Russia to change? What specifically has Russia been asked to do? What Russian action is necessary for these sanctions to end?

I have asked the sponsor of this bill: The sanctions that you want to do to Russia, what behavior—what do you want from Russia? The response is that they don't want any behavioral changes from Russia. The word-for-word response from the sponsors of this bill is that they just want Russia not to ship oil to Germany. It is about trade. It is about trade that might compete with certain natural gas-producing States. It has nothing to do with national security.

If Nord Stream 2 sanctions were really about changing Russian behavior or deterring aggression in Ukraine, then NATO, including Germany, could threaten sanctions if Russia invades Ukraine. Now, that—the threat of sanctions, with Germany as an ally—might actually have deterring value.

In fact, last summer, the United States and Germany did just that. The United States and Germany announced an agreement in which they said jointly that any attempt to use energy as a weapon or commit further aggressive acts against Ukraine will be met with sanctions. This is Germany and the United States together. That has power. Our little pinprick sanctions saying "We don't like you, and we are going to punish the companies that are involved" will do nothing.

If we actually work with Germany, we have deterring value. Germany could turn off the spigot to the natural gas like that. If it is a valid threat from Germany with us, together, we might be able to deter Russia. But simply turning the gas pipeline off now and sanctioning it is like being a hostage taker and saying "We don't want you to do this, and we have your hostage" and then going ahead and shooting the hostage before you get what you want.

We should threaten sanctions. The threat of sanctions has power. Once you turn them on and you have no plan to turn them off, you have no leverage over Russia and you do nothing.

The commitment or the agreement between Germany and the United States—the agreement says, "This commitment is designed to ensure Russia will not misuse any pipeline, including Nord Stream 2, to achieve aggressive political ends" or they will be met with sanctions. This could be a deterrence.

The more countries that got together and said this—an international community of sanctions can have some effect. One-country sanctions, particularly against its ally, Germany, will have no effect.

The rush to impose sanctions now undermines the threat of sanctions to deter Russian aggression against Ukraine. When you put sanctions on now and you offer them nothing and no way to remove the sanctions, how are you deterring anything? In fact, you might well make them angry enough that they actually do act in response to the sanctions in the opposite of what you have intended.

As today's debate unfolds, I think you will find that sanctions against Nord Stream 2 are more about mercantilism and protectionism than national security.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, first, I would like to ask unanimous consent that I be able to speak for up to 5 minutes, followed by Senator SULLIVAN, who is on the floor, for up to 15 minutes and then Senator SASSE for up to 7 minutes before the scheduled recess.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I would hope that everyone in this body has listened to Senator SINEMA's important speech on the filibuster just now. I really appreciated her clear-eyed rationale—her rationale to preserve the minority voices in this body and to find common ground in this Chamber. I thank her.

Mr. President, I also come to the floor today to support the sanctions on Vladimir Putin's Nord Stream 2 Pipeline. Now, I urge all of my colleagues to vote in support of S. 3436, the Protecting Europe's Energy Security Implementation Act.

You know, last week, the President of Ukraine and the Prime Minister of Ukraine endorsed this legislation. The Prime Minister said the following:

Nord Stream 2 is no less an existential threat to our security and democracy than Russian troops on our border. Senators shouldn't vote to protect Russia and Nord Stream 2. This is a security matter not only for Ukraine, but for the entire region.

I believe the Prime Minister of Ukraine is exactly right.

The Nord Stream 2 gas pipeline is being built by Gazprom. For people who aren't familiar with that, Gazprom is the Russian state-owned natural gas company. Now, the pipeline would double the amount of Russian gas going to Germany via the Baltic Sea.

This pipeline is an existential threat to our ally Ukraine. It is a threat to our allies in Europe as well.

Right now, Vladimir Putin has mobilized 100,000 troops on the border of Ukraine. He can afford to do this because he is flush with cash. Rising energy prices and reduced American production mean Vladimir Putin has hit the energy economic jackpot. The world is now more dependent on Russian oil and energy. If gas starts to flow through this pipeline, Vladimir Putin will get even richer, more powerful, and the world will become even more dependent on him, the dictator.

Vladimir Putin uses energy as a geopolitical weapon. He uses energy to coerce our allies and our partners in Europe.

Stopping this pipeline should be an area of bipartisan agreement. In fact, it was an area of bipartisan agreement in this very body until Joe Biden became President. Many Democrats in the body voted for sanctions the first time around. Even Joe Biden opposed the pipeline before he became President.

Congress has overwhelmingly passed several pieces of bipartisan legislation imposing sanctions on this Russian pipeline. Yet the Biden administration refuses to implement these laws.

The Biden administration has now been actively lobbying this body and actively lobbying Congress against this bill. Democrats must think it would give Putin what he wants. I don't get it. They think that if you give Putin what he wants, then he is going to play nice. That is not going to happen. Every American President must negotiate from a standpoint and a position of American strength. Vladimir Putin is cunning, opportunistic, and aggressive. He respects strength, not statements. When he sees an opportunity, he takes it. He can smell the weakness.

The pipeline will mean an enormous transfer of wealth—wealth from our allies to our enemy. It will make our allies weaker, and it will make Putin stronger. If Putin gets stronger, we know he will get even more aggressive.

It is time now for this body to stand up—stand up against Russia. It is time to sanction this pipeline.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I want to commend my colleague from Wyoming Senator BARRASSO, who has been a leader on so many of these issues, and Senator CRUZ on his bill, this important piece of legislation that we are going to be voting on here in a couple hours.

This Nord Stream 2 sanctions bill is not just about the immediate crisis in Ukraine, but this would be a continuation of long-term bipartisan American strategy as it deals with Russia, energy security, and American security. So I want to provide a little broader context to that bipartisan strategy and put this debate and vote that we are having here today into that context.

The U.S. commitment to European security, as we all know, is ironclad. We fought two world wars and a cold war to protect our interests in a free and open Europe. We expanded NATO to secure those gains and to prevent Russia from ever building a new empire that could threaten us or our allies.

As we all know, Russian power is not just a function of military power; to the contrary, Vladimir Putin and the Russians for decades have been using energy in terms of power and energy as a weapon. As a matter of fact, it is their weapon of choice in many instances in Europe.

Let me provide a few recent examples.

If you look at this map, one pipeline that is actually not depicted is the so-called Brotherhood Pipeline from Russia into Ukraine, and it goes into Europe. The Russians have cut off supplies of natural gas on that and other pipelines going through Ukraine in 2006, in 2008, in 2014, and in 2015.

In Moldova, shortly after the defeat of a pro-Russian Government and the election of a pro-Western one, Russia did what they normally do. They cut off gas to that country.

And it is not just impacting countries like Ukraine. When these gas supplies were cut off by Russia—because Vladimir Putin was angry about something—it impacted over 18 EU countries with regard to those cutoffs. And it is happening even today.

Just yesterday, the head of the International Energy Agency in Paris said that Russia is already, right now, strategically limiting natural gas to Europe during this very cold winter to pressure European nations not to support Ukraine as the Russians amass tens of thousands of troops on their border as we speak.

For these reasons, it has been the longstanding bipartisan American policy to do two things as it relates to energy security: First, we have sought, dating back to the 1980s, to block implementation of major pipelines from Russia—from the then-Soviet Union into Europe. The Reagan administration did this with sanctions in 1982, and we have continued to work this element of our policy. The other element of American bipartisan policy, as it relates to European energy security, has been to help countries—former Soviet Union countries, particularly in the Caspian and Central Asia area—to provide their own energy outlets, in terms of natural gas and oil, to Europe through the southern corridor—the BTC Pipeline.

These are all areas that Democrats and Republicans have been involved with in terms of energy supplies to our European allies that don't go through Russia. Some of the diplomacy here on these pipelines started with the Clinton administration, which did a very good job on this. I had the opportunity, as an Assistant Secretary of State in charge of economic and energy issues in the Bush Administration, to lead efforts on these southern corridor pipelines, and they were successful. Right now, these pipelines are providing energy to our allies in Europe. They don't go through Russia. They start in countries like Azerbaijan, go through Georgia, go through Turkey. This has been very bipartisan, supported by the Senate, and the Russians hate this. They hate it.

Why? Because it doesn't give them any control over energy into Europe.

So, as I mentioned, today's vote is actually part of a long-term bipartisan American strategy for decades that we have been pursuing because we know

the Russians use energy—particularly, natural gas, as a weapon.

So how have we been doing on this? Well, at the end of the Trump administration, we were in a very good position on European energy security in two key areas. First, as Senator BARRASSO mentioned, we had strong—very strong—bipartisan support with regard to Nord Stream 2 sanctions, on its construction and operations. We had overwhelming Republican and Democrat support for the sanctions that we are going to be voting on today in the 2021 NDAA and in the 2020 NDAA—very big, very bipartisan.

Another reason we were set up very well, in terms of Eurasian energy security, is at the end of the Trump administration we had achieved a longstanding bipartisan goal of American national security, economic security, and energy security. What was that? Energy independence. We, once again, had become the world's energy superpower.

What do I mean by that—largest producer of oil, bigger than Saudi Arabia; largest producer of natural gas, bigger than Russia; one of the biggest producers of renewables in the world. This is a bipartisan goal.

With regard to European security, why was that so important? Because it answered a huge question that the Europeans often said: If we are going to block Nord Stream 2, Russian gas into Germany and other places in Europe, where are we going to get the gas? Well, we had an answer: You are going to get your gas in America.

Our exports in LNG, liquefied natural gas, surged to take care of this problem. This is a good thing.

In terms of the environment and climate, U.S. LNG exports to Europe have a 41-percent lower emissions profile than Russian gas and pipelines to Europe. So it is good for the environment, climate, national security, energy security.

And here is another area. This big production of American energy was something that the people who know Vladimir Putin best knew that it was one of the biggest things we could do.

A couple of years ago, I was in a meeting with my colleague whom we miss very much here, Senator McCain, and a Russian dissident—a very famous Russian dissident. And at the very end of the meeting, I asked: What more can we do to undermine the Putin regime?

Do you know what he said to me? He looked me in the eye, without hesitation, and said: Produce more American energy. That is the No. 1 thing that you can do to undermine the Putin regime.

And we did it. We did it.

So these are all things, in addition to strengthening our own military, in addition to giving the Ukrainians Javelin missile systems—all of these things were putting us in a good position. Putin seemed very much in a box and certainly wasn't threatening Ukraine with tens of thousands of troops on the

border. Where are we today on these key areas that I just mentioned?

Well, we are not in such good shape. In terms of energy independence, this administration seems focused on actually destroying the production of American energy—oil and gas in particular. I guarantee you, the dictators in Moscow as well as in Beijing can hardly believe their luck. It seems like President Biden wants to undermine the very bipartisan goals we had for decades—American energy independence and the United States as the world's energy superpower again.

Just think about what he is seeing: canceled pipelines, the Keystone Pipeline, Canada and United States, and the President is green-lighting Nord Stream 2; killing energy production in great States like mine. Just Monday, there were more obstacles to produce energy in Alaska, and now we are importing two times as much oil from Russia as we were a year ago. That is helping Putin, hurting the United States.

What about Nord Stream 2, where we looked so strong just in the past few years, with this body, in a strong bipartisan way, sanctioning that pipeline right there. President Biden has green-lighted it.

But we don't have to. That is the point of this vote today. Again, this vote is not just about the current crisis in Ukraine; it is about continuing a long-term bipartisan approach to Eurasian energy security that would make our European allies less vulnerable to Russian energy blackmail, which has not only gone back decades, it is literally happening right now. Just listen, as I mentioned, to the International Energy Agency's report yesterday on this topic.

To be honest, it is also about a more political question, this vote today. Many of my Democratic colleagues suddenly became very hawkish against Russia and Putin on these issues and other issues during the Trump years, and I welcomed their conversion to a more hard-line approach. But it always begged the question, was that more hawkish conversion a principled one because they realized being tough on Putin, in terms of energy and our military, was the best way to achieve American national interests or was this conversion more of a temporary one, depending on who occupied the White House? I hope it is not the latter, but today's vote will answer that for some of the Senators who are looking to change their recent votes.

But, clearly, some of my colleagues just a few years ago, who were voting to sanction and stop the Nord Stream 2 Pipeline and were sounding very tough on Vladimir Putin and Russia, are now in a bit of a quandary if they vote differently today. So, not surprisingly, they are making arguments to rationalize this new position, and I would like to review, briefly, just a few of those.

Senator MURPHY has been down on the floor, the junior Senator from Con-

necticut, with a lot of these arguments. And I respect him, a thoughtful voice on foreign policy. I don't always agree with him, but he is a serious voice. But his arguments on this issue right now are not very persuasive or powerful. Here is the thing he is saying right now: This isn't about Russia. I am quoting Senator MURPHY. This is about "a Cruz-Trump agenda to break up the Atlantic alliance." A Cruz-Trump agenda to break up the Atlantic alliance.

Now, look, he is clearly trying to make a boogeyman here, the so-called Cruz-Trump agenda. But serious people who have been working on these issues for decades know that what we are doing today is a continuation of long-term bipartisan support for really important energy security policy for the United States and our European allies. This is continuing that longstanding approach.

You know, in his quote on the Cruz-Trump agenda, he said: This is actually about keeping the Atlantic relationship going to "save Ukraine from an invasion." To save Ukraine from an invasion.

But where is the President of Ukraine on this issue? What does the President of Ukraine, who knows a little bit about power politics and Putin, think about what we are doing today? He supports sanctions. He supports sanctions on Nord Stream 2.

That is where Senator MURPHY is starting to dig a little deeper on his weak arguments and trying to provide cover for his colleagues who are going to change their vote. He had to respond on where President Zelensky of Ukraine was. Here is what Senator MURPHY said about that:

I'm a big supporter of President Zelenskyy. But often he misreads American politics. And I think it would have been better for him to have stayed out of this one.

Wow.

So, as to the leader of the country, right here, whom many of us think this is all about, who certainly knows what Russian energy power politics are about since he has been on the pointy end of that weapon many times, we now have a Senator saying: President Zelensky, sit down. Be quiet. Stay out of this one. We don't want to hear from you even though this is about "saving" your country—unless, of course, you support his position on Nord Stream 2.

So these are very weak arguments by the Senator from Connecticut.

The most legitimate argument I have heard some of my Democratic friends make on switching their vote on their previous Nord Stream 2 sanctions is that the Germans—a very important ally; we all agree on that—don't want us to apply Nord Stream 2 sanctions. OK. That is an argument we should all consider, and this is what I have heard Secretary Blinken and National Security Advisor Sullivan have been telling Senators this week as they lobby against this vote we are going to take, although, early in the year, it was re-

ported in the press that both of them actually supported Nord Stream 2 sanctions.

Here is the thing on that argument. It is actually hard to tell what the Germans really want. In fact, what the Germans really want seems to be changing by the hour. There was a recent change in government in Germany, and the new Foreign Minister herself has said that the country should not grant Nord Stream 2 regulatory approval in order to resist "Russian blackmail" on energy prices. This is the current Foreign Minister of Germany.

It is also important to remember where the rest of the European Union is. There is broad opposition in Europe on Nord Stream 2. The European Parliament voted last year, on an overwhelming, cross-party basis—581 to 50—in favor of canceling the entire project in the wake of the arrest of Alexei Navalny, a Russian democracy leader whom Putin first tried to kill before locking away in prison. The European Parliament has voted at least four further times on other resolutions to call on the EU to halt this very project, which is what we are looking to vote on today.

Finally, outsourcing this very important foreign policy, national security, American issue to the Germans is simply not wise. The Germans have not always been so clean or levelheaded when it comes to Russian gas, Gazprom, and Nord Stream 2. What am I talking about? Well, of course, I am talking about the former Chancellor of Germany, Gerhard Schröder—one of the biggest betrayers of the West, certainly, in the last century. He left his chancellorship to become Putin's Gazprom lapdog. He is the main lobbyist who is pushing Russian gas all over Germany and Europe. He is an embarrassment to the Atlantic Alliance. He has been the chairman for many years of Gazprom. This is the former Chancellor of Germany. Of course, he has influenced Germans to say this is good. He has made millions doing it, by the way. He should be sanctioned with other Putin cronies.

At the end of the day, this shouldn't be outsourced to Germany. What we need to do is to take a vote on what is right for American national security, and a vote that sanctions this pipeline would be consistent with long-term, very bipartisan, American-Eurasian energy security policy.

Make no mistake, my colleagues: Nord Stream 2 is Putin's pipeline. Let's not make it his lifeline. I encourage all of my colleagues to do what they have done recently, in the last couple of years, which is to vote in an overwhelming, bipartisan manner to sanction the Nord Stream 2 Pipeline.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Nebraska.

FILIBUSTER

Mr. SASSE. Mr. President, first, I want to commend the senior Senator

from Arizona for an extraordinary stand of courage and just a great speech on the floor a few minutes ago.

I rise today to defend the filibuster again from the latest round of attacks. I did this repeatedly in the last administration, earning the ire and frustration of a President of my own party over and over again as I defended the Senate's purpose and the supermajority requirements that forge a consensus in a big, broad, diverse, continental nation. Today, I rise to defend the filibuster again when it is a President of the other party who has decided to go full demagogue.

For his entire career in the Senate—basically, Joe Biden served in this body as long as I have been alive, plus or minus a few years—Joe Biden was a stalwart defender of the filibuster. He said that weakening the filibuster would “eviscerate the Senate.” But earlier this week, the President was pushed around by a bunch of rage-addicted 20-somethings on his staff and agreed to go down to Georgia and just read whatever nonsense they loaded into his teleprompter. It was shameful. It was sad.

The President of the United States called half of the country a bunch of racist bigots. Think about that—half the country a bunch of racist bigots. He doesn't believe that. This was a senile comment of a man who read whatever was loaded into his teleprompter.

His speechwriters puppet-mastered him into saying that anyone who disagrees with him is George Wallace, Bull Connor, Jefferson Davis. If you disagree with Joe Biden, you are Jefferson Davis. It is pretty breathtaking. Equating millions of Americans to some of the ugliest racists in all of American history isn't just overheated rhetoric; it is a disgusting smear. Does President Biden really believe this in his heart of hearts? Based on the conversations I have had with him over the years, I don't think he believes this at all.

So let's go back to last year. Candidate Joe Biden ran for office, promising that he would unify the country. That is why the man was elected—because he said that the crap we went through the last 4 years was wrong. He said he was going to try to unify the country, but now he has decided to surrender to a tiny, little far-left group in the mistaken belief that the loudest voices on Twitter actually represent America.

It would be useful for us to pause and recognize that the overwhelming majority of all political tweets in America come from less than 1½ percent of Americans. Let's just say that again because there are a bunch of morons around this building who have decided to take their Twitter feed as reality. It is not reality.

What the President said in Georgia was nonsense, and Joe Biden, with his decades in the U.S. Senate, knows that.

The President will be coming to Capitol Hill in the next hour. If President

Biden really believes that Jim Crow is the same thing as a lot of States that have decided to reconsider some of their COVID expansion policies around voting—that Jim Crow and redeliberating about COVID expansions are the same thing—he needs to make that argument in person.

If JOE MANCHIN is really as big a racist as Joe Biden apparently thinks and if KYRSTEN SINEMA is really a racist—if that is what animates KYRSTEN SINEMA—in the eyes of Joe Biden, he should have the courage to say that to their faces. He is not going to say that to their faces because he doesn't believe it. Ron Klain has an army of Twitter trolls that he has decided are reality, and he has decided to have President Biden become something completely different than the person who ran for office last year or who served for decades in the U.S. Senate.

In fact, if Joe Biden really believes that JOE MANCHIN and KYRSTEN SINEMA are bigots, why has he not called for them to be kicked out of his party? If they are as racist as Bull Connor and Jefferson Davis, why does Joe Biden want them in his party?

The stuff he said in Georgia is nonsense, and you wouldn't say it to regular Americans in New Jersey or West Virginia or Arizona or Nebraska because it is not true.

In fact, if Joe Biden really believes that LISA MURKOWSKI is George Wallace, if TIM SCOTT is Bull Connor, if SUSAN COLLINS and I are Jefferson Davis, I would hope he would have the guts to come and say it to our faces, but he will not because this is performative politics. It was nonsense, and everybody knows that it goes away after this weekend.

But CHUCK SCHUMER might have a primary from AOC, so it is really useful to shift the blame for his disastrous leadership of the Senate over the last 13 months from himself to KYRSTEN SINEMA and JOE MANCHIN. That is really what is happening right now.

President Biden ought to have the courage to stand up to his own staff, and he ought to be enough of a man to apologize to the Senate and to the American people for the nonsense he said in Georgia. The vast majority of what he said in violating the Ninth Commandment and disparaging people was not what he really believes, and he wouldn't say it to me face-to-face. This fiasco was ugly, and it was entirely unnecessary.

It makes no sense to federalize our elections right now. By the way, you can differ with me about that. You can believe that federalizing all elections is a good idea—it is in our constitutional system—but to demonize people as racist bigots because they are not in favor of federalizing the elections is a pretty bizarre leap.

So let's just review a little bit of history. Last year, we had a President who disgraced his office by trying to steal an election. What stopped that? Our decentralized State-based systems

of elections are what stopped last year's attempt to steal an election.

It makes absolutely no sense to try to go into nuclear partisanship now when we should actually be talking about how you prevent another January 6 by doing the hard and actual bipartisan work—not the grandstanding for Twitter but the hard and bipartisan work of reforming the Electoral Count Act, which is 130 years old and obviously doesn't work that well. We should reform the Electoral Reform Act.

This is about the subversion of an election, not the suppression. There are real problems in our electoral system, and we could be doing work to actually fix that and try to stop the institutional arsonists in Congress who want to build political brands on the wreckage of American institutions. We could do real work. The President decided to do something completely different this week.

Here is the silver lining. President Biden, Leader SCHUMER, and everybody in this body know that the charade we have been going through for the last 3 days is great for the 1½ percent of people addicted to rage on Twitter. I get it. There are 1½ percent of people who get their jollies out of this. It is bad for America, and it is just as undermining of the public trust in elections as what Donald Trump did last year.

But here is the thing: Everybody going through this charade knows that it dies this weekend. Why? Because Members of the Democrats' own conference know that there is no exception to the way the Senate rules work. Every single Senator knows that the filibuster is not going to die this weekend, and every Senator knows that, if it would, the nonsense rhetoric about one exception—it is like losing your virginity just once—is not really how it works. Once the filibuster goes for x, it goes for y, and it goes for z. Today, it is election centralization. Tomorrow, it is gun politics. The next day, it is climate debates. Every red-hot issue in American culture and American politics would be in the same exception because every issue would be just as urgent next week, next month, and next year.

Fortunately, Senator MANCHIN knows this, Senator SINEMA knows this, and by the way, a whole bunch more colleagues of mine in the Democratic Party also know this. They just don't have as much courage to say it in public as those two. A whole bunch of my colleagues—I tried to count this morning; it is between 15 and 18 of my colleagues in the Democratic Party—have privately told me they regret following Harry Reid over the tribalist cliff in the summer of 2013 for just the one exception of judicial confirmations to the DC Circuit Court of Appeals. I think 15 to 18 Democrats have privately told me they regret this. Why? Because that one-time exception is now how the entire Executive Calendar works. Everybody knew, when Harry Reid set this

place on fire in 2013, that that was what it was going to produce and that the exact same thing would happen on the legislative calendar with the supposed one-time carve-out for the legislative filibuster.

Let's remember what this institution is for. What the Senate is supposed to be about is we are supposed to be the one part of Congress and the one part of the American Government that thinks beyond a 24-month window. It is the job of the people who serve in this body—only 100 people right now and only, I think, 2,100 people across 230-some years of U.S. history. Only 2,000 people have had the honor of serving our States in this body. It is supposed to be our job to take the long-term view, not just 24 hours of Twitter. We are supposed to think beyond the 24 months of the next election. That is what our job is supposed to be.

There are a lot of people around this place who apparently can't think beyond 24 hours right now. That is their right, but they shouldn't be Senators because the purpose of this place is supposed to be to take a long-term view.

Some of my colleagues are convinced that Americans are polarized because Congress doesn't act more or faster, and they think that the solution is, supposedly, to eliminate the filibuster. They are kidding themselves. That would not extinguish the fires of red-hot tribalism in this country. It would throw gasoline on them. Addressing the real tribal disease in America requires a Senate that becomes less tribal, not more tribal.

Senator SINEMA's speech should be commended to every Member of this body to go back and read. She said there are two fundamental questions before us today. One is, Where does the descent into tribalism in this institution ultimately land? And what can each of us do to stop that?

Those are the two big questions that she said should be before us today.

Getting rid of the filibuster means this: It means that you turn one razor-thin majority imposing its will on the American people and on legislation into a pendulum-swinging, another razor-thin majority, 24 months later, that sweeps all of that aside and jerks the American people around to the opposite legislation of what was just passed 50–50—51–50 in today's Senate. And all of it flips 11 months from now, and the legislation all gets undone, and new legislation gets put in place.

Do you really think regular folks in New Jersey and Nebraska want that? Hardly any of them want that.

Imagine what the current situation would look like if you have that federally imposed whiplash on our most sensitive issues inside every 24 months. We think tribalism is bad now. I guarantee you can make it worse. And eliminating the filibuster accelerates that descent into tribalism.

There is a place, of course, where simple majorities rule. It is right down

that hallway. We have a House of Representatives already. Does anybody want to make the argument that that place is healthier than we are because it is a simple majoritarian body? No, it is plain to see, in an age of hyperpartisanship and social media grandstanding, that the House is being more and more ruled by demagogues and dolts. That is not what the Senate is called to do.

The Senate is supposed to be a different place. The Senate is supposed to be the place where passions are tempered and refined by people who are responsible for thinking beyond our next election, which is why every election cycle in America only has one-third of Senators even up for reelection. That is the whole reason we have 6-year terms. If I had my will, I could be King for a day and write some constitutional amendments and pass them. I would have a single 12-year Senate term, and everybody would be out of here. It is a little bit longer than 6 years, but one term, no reelection, and get back to life, go back to serving in your community.

If you get rid of the filibuster, you will turn the Senate into the House, and you will ensure that this body, too, ends up consumed by demagogues, conspiracists, and clowns. That is what will happen in this body. The American people don't have time for that crap. Nobody wants that.

Americans don't want one-party rule, by the Democrats or by the Republicans. Both of these parties are really crappy. The American people are not fans of these political parties.

Getting rid of the filibuster means you don't have to try to talk to people on the other side of the aisle and get to a 60-vote threshold for legislation or a 67-vote threshold for rules changes. It means that one of these two terrible parties gets to do a lot more stuff a lot faster that will inevitably be incredibly unpopular with the American people.

The American people do not want revolution. They do not want fundamental change. What they want is competence. What they want is more honesty. What they want is less performative grandstanding.

Institutions like the Senate provide frameworks and processes for competent, responsible self-government, for more honesty. We are not living up to it right now, but we could live down to something worse, and ending the filibuster would accelerate that. It would accelerate tribalism. It would accelerate people following Senators into bathrooms, screaming at them, trying to bully them. It will not lead to more productive, compromise legislation that tries to bring along a larger share of the American public.

The rules and the norms of this place have been built up over a very long time, and they exist to discourage demagoguery. Putting cameras in every room we are in around here tries to undermine so much of what the Senate is

about. I am for lots of transparency. I am for pen-and-pad reporters everywhere. But the cameras we have put in this place have encouraged so much demagoguery. That is so much of the problem of why we have so much tribalism here and tribalism more broadly in the country.

And if you eliminate the filibuster, you accelerate all those most destructive, short-term performative trends. You encourage more rank partisanship, and you discourage consensus, compromise, and collaboration.

Friends, please do not—like the President did in Georgia this week—surrender to the angriest voices on social media in the mistaken belief that they reflect the majority of America. They don't. They reflect the majority of Twitter.

Political Twitter is like the ninth most popular topic on Twitter. K-pop music is exponentially more popular on Twitter than politics. The share of Americans paying attention to political Twitter bounces around between one-tenth and one-sixth. And something like 80 percent of all political tweets come from under 2 percent of the public. We should remind ourselves of that again, and again, and again, because there are people here who regularly mistake Twitter with reality and with the American public. We are called to serve the American public. We are not called to serve rage-addicted people on social media.

Now, perhaps more than ever, it is our job to stop giving ear to political arsonists who would burn down our institutions and intensify our divisions. Now is the time for us to think together over the long-term how we renew those institutions.

The filibuster is a part of what can lead us to broader consensus, and eliminating the filibuster will accelerate the political arson around this place and across our land.

Senate, we can do better.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:21 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. DURBIN).

PROTECTING EUROPE'S ENERGY SECURITY IMPLEMENTATION ACT—Continued

The PRESIDING OFFICER. The Senator from Texas.

S. 3436

Mr. CRUZ. Mr. President, in a few minutes, the Senate is going to take a vote of incalculable importance to our national security, to the future of our allies in Europe, and to the very existence of the nation of Ukraine.

Right now, Vladimir Putin has assembled over 100,000 troops on the border of Ukraine. More troops and more

weapons are arriving every day. Putin yearns to reassemble the old Soviet Union. Putin would see Ukraine wiped off the face of the map.

This is not the first time that the people of Ukraine have had to face down Russian aggression and authoritarianism. Throughout the Cold War and through their independence in 1991, millions of Ukrainians died as they struggled for independence from the Soviet Union and from Soviet Russia.

In 1994, the United States signed the Budapest Memorandum on Security Assurances. We committed—the United States of America committed—to ensuring Ukraine's territorial integrity in exchange for Ukraine voluntarily giving up the world's third largest nuclear arsenal, which it had inherited following the collapse of the Soviet Union. That was our commitment, and it is now our national obligation.

Russia, of course, also signed the Budapest Memorandum. Nevertheless, in 2014, thousands of Ukrainians died when Putin invaded Ukraine.

Putin only stopped short of a full invasion because he couldn't endanger the Ukrainian energy infrastructure, which he needs to get Russian gas to Europe. He now believes that Nord Stream 2 is a done deal, thanks to President Biden's catastrophic surrender and waiving of the mandatory sanctions passed by Congress.

Putin sees Nord Stream 2 as an alternate route to get his gas to Europe that Ukraine cannot touch, and so he has moved to complete what he couldn't do in 2014. When President Biden waived the sanctions on this Russian pipeline, the governments of Ukraine and Poland warned then that the result would be Russian troops on the border of Ukraine and an imminent invasion. They were right.

In recent weeks, the people of Ukraine and their government—the President, the Prime Minister, the Speaker of the Parliament—they have all called on this body to fulfill the commitment that we made to their nation. They have explicitly and repeatedly called upon the U.S. Senate to pass this bill before us, imposing immediate sanctions on Nord Stream 2.

None of us can know if that will change Putin's calculation, but we must acknowledge, as the people of Ukraine have pleaded with us to understand, that it is the only thing that can do so.

That is why today, in just a few minutes, we will have one last chance to stop the pipeline that Putin built so he can invade Ukraine. For 2 years, this body has had bipartisan consensus and unanimity on standing up to Russia on stopping Nord Stream 2. It is only with a Democrat in the White House that suddenly scores of Democrats have decided partisan loyalty is more important than standing up to Russia; partisan loyalty is more important than stopping Putin; partisan loyalty is more important than standing with our

European people allies. And, I would note, ironically, the White House's lead talking point is "transatlantic unity." When the Parliament voted on Nord Stream 2, it voted to condemn and shut down Nord Stream 2 by a vote of 581 to 50—581 to 50. The White House is saying: Stand with the 50. Stand with 9 percent of the European Parliament against 91 percent of the European Parliament.

That makes no sense, and no Democrat uttering those talking points believes it. But there are too many Democrats who are deciding partisan loyalty matters more than standing with our allies. Partisan loyalty means more than standing with our European friends. Partisan loyalty means more than honoring our treaty commitments. Partisan loyalty matters more than protecting the national security of the United States.

For 5 years, Democrats have uttered the words: Russia, Russia, Russia. We will now learn whether they meant those words when they said them, or was that simply animus for President Trump?

We should stand together. If a Republican were in the White House, every Democrat in this Chamber would vote to sanction Nord Stream 2. The only reason not to do so is because, for some Democrats, partisan loyalty matters more than standing up to Russia or defending our national security.

Let me, finally, say: If the Senate votes down these sanctions in just a few minutes, it will effectively give a green light to Putin. That is what the leaders of civil society in Ukraine have told us. And if, as a result of the Senate's vote, the Democrats vote with Russia, with Putin, we may well see in the days or weeks or few months ahead Russian tanks in the streets of Kiev. And every Senator—Democrat or Republican—will remember this moment, this moment we had to stop the Russian invasion of Ukraine. And those Senators who put our obligations to our friends, our obligations to our Nation, our obligations to security above partisan loyalty, they will remember that. And those Senators that didn't, they will remember that.

The eyes of history are on the Senate. There are moments, particularly dealing with war and peace, when the consequences of our actions echo throughout the days. This moment is one of them.

I yield the floor.

The PRESIDING OFFICER (Mr. VAN HOLLEN). The Senator from Idaho.

Mr. RISCH. Mr. President, I ask unanimous consent that I be allowed to speak for up to 5 minutes, followed by Senator MENENDEZ to speak for up to 10 minutes, before the scheduled roll-call vote.

The PRESIDING OFFICER. Is there objection?

Mr. MENENDEZ. Reserving the right to object, I am sorry, I didn't hear the unanimous consent request.

Mr. RISCH. I think it was just a minute or 2 for you and the rest for me, Senator.

Mr. MENENDEZ. And I object to that.

Mr. RISCH. I would ask for 5 minutes for myself and 10 minutes for yourself. Is that sufficient?

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RISCH. Mr. President, fellow citizens, I rise today to speak on behalf of the Cruz-Risch Nord Stream 2 bill, which is designated as S. 3436. To start with, it is important to note that this bill has language which is almost identical to the bipartisan language that was contained in the House-passed National Defense Authorization Act. Both bodies passed this language. It was, unfortunately, taken out in the conference of that bill before it went to the White House. But now, this language is back before us in this bill. And what it would do is it would immediately sanction Nord Stream 2—Putin's premier energy weapon against Europe and Ukraine, particularly.

The timing could not be more important. Ukraine stands on the brink of invasion, and Europe is in the throes of an energy crisis created by Russia. There is a reason Ukraine's President Zelensky tweeted an urgent request in December for all friends of Ukraine and Europe in the U.S. Senate to back these sanctions. That request is before us at this moment.

We are now seeing the consequences of the administration's decision to waive P.E.E.S.A. sanctions and the refusal to impose CAATSA sanctions. Months ago, the administration set the stage for this mess on Ukraine's border and emboldened Putin.

Russia has deliberately cut gas transmission to Europe through Ukraine and is using high energy prices to pressure the European Union into approving Nord Stream 2 as quickly as possible. Putin has publicly stated that fact.

Meanwhile, Russian forces continue their buildup along the border with Ukraine in preparation for what could be a full-scale invasion. Clearly, the administration's efforts have failed to signal credibility and resolve and have not deterred Putin from continuing along the path to war.

U.S. diplomacy needs additional action, not just rhetoric, to stop a Russian invasion. And these sanctions would provide that by putting Congress in charge of waiver authority. A vote for these sanctions will provide credibility to our threat, sending a strong message to Putin.

Remember, Nord Stream 2 is designed to replace Ukraine's gas transit system, meaning Russia no longer has to worry about destroying its own infrastructure in the event of a full-scale war. We must not allow Putin's blackmail to succeed.

Nord Stream 2 has always been a bipartisan issue here in the Senate, and it should continue to be. Not a single Member of Congress supports the completion of this pipeline. I would like to think a similar number of us feel we

should not ignore our friends in Europe, particularly Central and Eastern Europe, who stand to lose the most from Nord Stream 2.

Our bill would impose mandatory sanctions against Nord Stream 2 AG, the company responsible for the project, as well as the companies involved in testing and certifying the pipeline before it becomes operational.

We do provide the administration with a pathway to lifting these targeted sanctions, pending congressional review. This pathway is the exact same process for congressional input that 98 Senators voted for in CAATSA, just a few years ago. The time to act is now. I urge my colleagues to vote in favor of this bill.

I yield the floor.

Mr. CARDIN. Mr. President, I rise today to condemn the enormous Russian military buildup on the Ukrainian border, and the Kremlin's reckless policies of coercion as it seeks to reimpose a new iron curtain on the European continent. Moscow wants to secure an unwarranted sphere of influence that would enable Russia to determine by fiat the fate and the policies of other sovereign state—most immediately in Ukraine, whose people and government desire further integration into Europe and trans-Atlantic institutions.

Make no mistake about it—the Putin regime's actions threaten not only our friends in Ukraine. They are also an assault on the principles of the Helsinki Final Act, the foundation of European security, which today is enshrined in the Organization on Security and Cooperation in Europe, the OSCE.

I want to commend President Biden and his very capable diplomatic team for the sustained effort they have embarked upon to rally our friends and allies—in NATO and the European Union and across the OSCE—to present a united front against Vladimir Putin's mounting aggression.

Russia has in recent months amassed over 100,000 troops and heavy weaponry on Ukraine's borders, with many more poised to join them, and have openly threatened war if its demands are not met. The Kremlin is also waging a propaganda war preparation strategy for the Russian people by broadcasting false claims that Ukraine poses a threat to Russian interests and sovereignty.

At the barrel of a gun, the Kremlin has demanded not only that the United States and NATO close its open doors to partners like Ukraine and Georgia—a strategic nonstarter on its own—but also that the Alliance security umbrella and even material security assistance be retracted to pre-1997 borders, essentially reducing NATO to its frontiers as of 1991.

In other words, Mr. Putin insists that the United States and its Euro-Atlantic allies remove any means of securing or guaranteeing the defense of sovereign states that happen to lie near Russia. Such demands are outrageous, dangerous, and impossible to accept.

In this troubling time, acquiescence to Russian aggression is not an option. I support this administration's approach to unite with our European allies and categorically refuse to give into the Kremlin's ruthless militarism. I also support negotiating in good faith to see if we can find a realistic solution with respect to arms control, confidence-building measures, and the like—while making it clear to Mr. Putin that the freedom and sovereignty of Europe are not on the table.

The diplomatic engagements that have taken place in Europe in recent days, in several concentric circles, have demonstrated remarkable unity among our allies, and have clarified for Russia the costs they would incur in the event of any further aggression against Ukraine.

This is thanks to the Biden administration's sophisticated campaign to reclaim American leadership in world affairs.

One hopes the Kremlin has heard the messages that we and our allies have sent to Moscow. Under the looming shadow of Russian mass mobilization and martial rhetoric, however, we should suffer no illusions. Mr. Putin's goal is domination, and there is no room to give on that score.

Unfortunately, we find ourselves here today on the floor of the United States to consider a measure, which the Senator from Texas has introduced, that threatens to undermine the American effort to mobilize the Western world's coalition to stand up to Russia at this critical moment. We are here to debate, yet again, how to deal with Nord Stream 2, the ill-conceived natural gas pipeline between Russia and Germany that promises to weaken Ukraine's economic and security situation while it strengthens Russia's leverage over Western Europe.

In the 116th Congress, we voted to condemn and to sanction those involved in this misbegotten enterprise—most importantly in the Protecting Europe's Energy Security Act, "PEESA", enacted in January 2021. This law imposes strong sanctions on all those involved in the construction and operation of the Nord Stream 2 Pipeline. As is customary and appropriate, the Congress also gave the Executive the authority to waive sanctions against individuals and entities when it determined to do so would be in the national security interest of the United States.

Last spring, the administration chose to exercise that waiver.

I disagreed with that decision. I have said so many times and in many contexts. I retain the hope that the pipeline will never begin operations, as I believe it would do enormous damage—not just to Ukraine—but also to Europe at large.

The administration is focused on working with Germany to implement the July 21 Joint Statement of the United States and Germany on Support

for Ukraine, Energy Security, and Our Climate Goals, which includes clear commitments to act if Russia attempts to use energy as a weapon or commit further aggressive acts against Ukraine.

Let us be clear that the bill before us would not actually accomplish what the Senator from Texas claims. It would not stop Nord Stream 2 any more than existing law does. It would not protect Ukraine any more than existing law and policy does. All this bill would do, essentially, is create a 90-day recurring cycle of revisiting the administration's exercise of the waiver authority we wrote into the law last year. And then it would create the option for a vote on a resolution of disapproval of that waiver.

At a time when we should be using our time and energy to address the mounting threat to Ukraine posed by Russia's massive buildup along their shared border, today's vote is an unnecessary distraction. Therefore, I oppose S. 3436.

The Senate should be considering serious proposals to counter Russian aggression. The chairman of the Senate Foreign Relations Committee has introduced a bill that is worthy of our time, attention, and support. The Defending Ukraine Sovereignty Act is a serious effort to address Russia's aggression toward Ukraine, which is why I am an original cosponsor of this measure.

If the President affirmatively determines that Russia has engaged in a renewed invasion or escalation of hostilities, the Defending Ukraine Sovereignty Act triggers a cascade of mandatory sanctions on Russia's political and military leadership, financial institutions, extractive industries—and Nord Stream 2.

As chairman of the U.S. Helsinki Commission and a senior member of the Senate Foreign Relations Committee, I am especially mindful and concerned about what Russia's actions and demands mean for European and international security, as well as democracy and human rights.

It is no mistake that Mr. Putin's war drums have been accompanied by a concerted regime effort to erase and rewrite the Soviet Union's cruel history; including smothering the domestic human rights network Memorial, which has so carefully and painstakingly chronicled the Soviet Union's brutal human and social toll on the people of Russia and the former Soviet Union.

Russia's intervention to suppress popular dissent and prop up the authoritarian regime in Belarus tells a similar story. Its deployment of troops just last week under the umbrella of the Collective Security Treaty Organization, the CSTO, to quell public unrest in Kazakhstan—the first time the Russian-controlled CSTO has intervened militarily in a crisis in a member state—also serves to expand Russian influence in the region. The CSTO deployment has raised concerns among

some of the Kazakhstani public, which may help to explain why the troops have started withdrawing today. The rapid deployment, however, certainly makes the government of Kazakhstan more beholden to Russia. It weakens Kazakhstan's often-touted "multi-vector" policy under which it aims to balance its relations with Russia, China, and the West.

The Putin regime has erected a corrupt police state at home, which it aggressively exports for greater domination.

A broader Russian invasion of Ukraine could easily lead to tens of thousands of deaths and threaten tens of millions more. Preventing such an outcome should be our paramount concern. Peace on Russia's stated terms would consign millions of free peoples to the Kremlin's authoritarian whims, and would shatter the fragile miracle of European peace and prosperity.

I believe we must present a strong, determined, and unified response that makes clear that Russian aggression will only further unify the continent, and complicate the Kremlin's security anxieties.

At the same time, the United States is willing, with its partners and allies, to work toward listening to the Kremlin's legitimate security concerns. Here, too, is an opportunity to make use of the OSCE's institutional powers to build consensus and lay the foundations for a durable peace.

I ask my colleagues to join me in condemning Russia's military buildup and aggressive posture in the region, and calling for Moscow to de-escalate immediately and negotiate in good faith.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that I be allowed to complete my remarks before the vote begins.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, this is a pivotal week for the security of Ukraine. Talks are ongoing to test whether the Kremlin wants to engage in diplomacy or is intent on war, to see if the United States and our allies can pull Putin back from the brink. And if the headlines are any indication this morning, it is clear that this is an open question.

This is a critical time. There still may be a window to deter the Kremlin from deciding to invade. But we must be clear and united about what awaits Russia if it chooses the unwise path. We must send an unequivocal message: that, should Putin invade, the consequences would be devastating; that there would be steep costs to the economy and to the people of Russia if he further tramples on Ukraine's territory and independence.

That message should be sent through every channel, at every level, including by this body. And we have a chance to do just that.

The Defending Ukraine Sovereignty Act, which has in just 2 short days 39 cosponsors already, is a comprehensive response to the threat facing Ukraine. It would impose massive, crippling sanctions on multiple sectors of Russia's economy. It would impose the harshest sanctions on Putin and senior Kremlin officials themselves. It would effectively cut Russia off from the international financial system. That is the sanction that I helped devise that ultimately brought Iran, years ago, to the negotiating table.

This act also makes clear that the United States will make every effort to expedite security assistance and defense articles to help support Ukraine. And it expands our efforts to counter Kremlin aggression across the region. It says the United States will not stand for this bullying. And it makes clear that Putin has a choice to make.

But we are not voting on that comprehensive response. We are not voting on how severe the consequences should be if Putin goes down the path of invasion. Instead, we are voting on whether to sanction Nord Stream 2—as if that alone would deter Putin from re-invading, as if that alone would stop him.

Instead, sanctioning Nord Stream now at this pivotal moment would have the opposite effect of deterring Putin. It might even be the excuse Putin is looking for. Right now, the one thing we know Putin wants is for Nord Stream 2 to be operational.

Now, let's be clear. If we don't sanction Nord Stream now, that does not mean the pipeline goes online. It does not mean that Putin get his way. What it does mean is that there is leverage.

Right now, we have a new German Government that has blocked the pipeline from moving forward. Right now, that German Government is a productive partner with us on this critical issue. They are where we need them to be—working to coerce Putin not to re-invade Ukraine; making clear that if Putin advances into Ukraine, there will be no Nord Stream; working with us to strengthen and support strong deterrence; coordinating with us to enhance the impact of devastating sanctions, if we need to pull that trigger. That is where we need the German Government to be.

Sanctioning Nord Stream now, in the way that the Cruz bill would do, would not just be a sanction on Nord Stream 2 AG. The bill would sanction "any corporate officer of an entity established for or responsible for the planning, construction, or operation of the Nord Stream 2 pipeline" or a successor entity.

This broad scope would have a clear ripple effect on the entities, many of them German, and individuals, many of them German citizens, who work on the pipeline. That includes German companies involved in the pipeline, industrial sites, rail operators, port operators, and any entity associated with that deal.

So for an ally that is with us in this fight against Putin's aggression, for an ally that is standing up with us when we need them to be strong, this would be akin to a sanction on them. They have made that clear to us. Now is not the time to take that step.

Again, the pipeline today is paused. They basically stopped the regulatory process on it. At the earliest, it could be months before anything happens, depending upon what Putin does—depending upon what Putin does—and even if they allow it to move forward. Now is not the time to take off the table a key piece of leverage.

I have to address some other points I have heard some of our colleagues mention.

I listened to the Senator from Texas attempt to lay blame time and time and time again at the feet of President Biden. He has tried to blame President Biden for Nord Stream, and now he is trying to blame him for Putin's illegitimate power-grabbing and military aggression. Do you know what? I suggest he look back and review just how and when Nord Stream came to be because it wasn't President Biden who could have imposed sanctions back in 2017. It wasn't President Biden who did nothing for years while 94 percent of the pipeline was being built. It wasn't President Biden who waited until his last day in office to impose sanctions on Nord Stream. There was someone else who could have used his authority to put a stop to this malign influence project but didn't. There was someone else who could have made the Kremlin's weaponization of energy a priority but didn't.

The Senator already knows this, but how can I be so sure? Because he said so at the time. In December of 2019, he said:

I want this to be very clear, if the pipeline is completed, it will be the fault of the members of this [Trump] administration who sat on their rear ends and didn't exercise the clear power.

The fault of the Trump administration—his words—but now, magically, it is President Biden's fault. Please. A pipeline that was 94 percent complete by January of 2021—to me, that is a Trump-Putin pipeline.

It may be convenient to say that work on the pipeline stopped until Biden became President, but that is just not the case. In fact, work stopped on the pipeline for 6 months—6 months—from December of 2019 until the spring of 2020, because a company backed out of the project. But did Russia stop? No. It was working furiously to finish the job by retrofitting ships that could complete the pipeline. The moment that was done, the moment the ships were ready, pipeline construction started again.

A retrofitted Russian ship, the *Cherskiy*, showed up in Germany in May of 2020, awaiting a permit by Danish authorities. The permit was approved in October of 2020. The fact that it received a permit was sanctionable

by the then Trump administration. The Trump administration failed to act.

On December 11, Nord Stream 2 AG said that the Fortuna resumed offshore construction activities in shallow German waters. Nord Stream 2 AG was not waiting for Biden to be in office; it was acting. The Trump administration could and should have imposed sanctions under CAATSA at that point. As a matter of fact, it didn't need CAATSA; it had IEEPA sanctions it could have imposed and chose not to.

Now, look, my position on Nord Stream has been clear. I have been and remain strongly opposed to the pipeline. I supported sanction measures on the project when they could have had an impact during the Trump administration, before hundreds of miles of pipe had been completed. And President Trump had those tools. He had them. We passed them overwhelmingly, and then we gave him more tools and more sanctions. What did he do? Nothing. Not until his last day in office did he impose sanctions on Nord Stream—his very last day. So let's stop with the games. By the time the Biden administration took office, the pipeline was 94 percent complete—94 percent.

Senator CRUZ wants to stop the pipeline, and so do I, but it is far from clear that sanctions at this point, when the pipeline is already built, will do just that. In fact, it isn't clear to me at all that the Senator's proposal would even change the status quo. Instead, it would most certainly tie up this body and this floor so that we would be voting time and time again on resolutions of disapproval related to Nord Stream.

Now, of course, I get it. I get it. I understand why the Senator would rather tie up this floor and hamstring the President's agenda instead of voting on nominees or voting rights or Build Back Better or judges or a whole host of other critical elements before the country. But that is the reality of the Senator's proposal.

So I ask my colleagues, what is the urgent threat that needs addressing? Is it attempting to score political points and tie this President's hands intentionally and internationally or is it addressing the very real and potentially imminent threat amassing along Ukraine's border?

I believe we need to address the real threat and the whole threat facing Ukraine and the region, and that is why I drafted the Defending Ukraine Sovereignty Act.

I have stood up for and alongside Ukraine time and time again in the face of Ukraine's aggression. In 2014, I was in Ukraine right after Russia's invasion took place. After Russia's illegal occupation of Crimea, I drafted the Ukraine Freedom Support Act, which passed into law, to impose sanctions on Russia and increase support for Ukraine. In 2016, I introduced the STAND for Ukraine Act to help restore Ukraine sovereignty and territorial integrity in the face of Kremlin aggression.

I will continue to ensure that the United States does all it can to help Ukraine defend itself against Putin's bullying, to provide the assistance it needs, to support its integrity, and to bolster its security in the region, and I urge this body to do just that.

Finally, Senator CRUZ would like to suggest that partisan loyalty is why we believe his approach at this time is wrong. What is wrong is to break the coalition we now have against Putin at one of the most critical times of Ukraine's history. Germany is a critical part with us and ally with us to deter Putin. If you end Nord Stream today—not that this legislation would—one less reason for Putin to say: Well, that is gone. Why shouldn't I invade anyhow?

I urge my colleagues to address the actual imminent threat amassing along Ukraine's border, to make clear to Putin what the massive cost of his actions will be. We might still be able to turn Putin back, but we must be laser-focused on what it will take to get him from taking one more step towards Ukraine's border.

I urge my colleagues to actually address the threat at hand, one that extends far beyond a pipeline but threatens an entire country's borders and the security of a region. It is a threat that demands a comprehensive, resounding response. That is what we will be offering in short order.

So I urge my colleagues to vote no on this approach, to make sure we keep the unity that is essential at this time to deter Putin, and to work with me to make sure that this body sends the united, strong message to deter Putin, stand with our allies, and support Ukraine.

I urge a "no" vote on the Cruz legislation.

I yield the floor.

VOTE ON S. 3436

The PRESIDING OFFICER. Under the previous order, all time is expired.

The clerk will read the title of the bill for the third time.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. MENENDEZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

(Ms. CORTEZ MASTO assumed the Chair.)

(Mr. WARNOCK assumed the Chair.)

(Mr. Kaine assumed the Chair.)

(Mr. OSSOFF assumed the Chair.)

(Ms. KLOBUCHAR assumed the Chair.)

(Mr. OSSOFF assumed the Chair.)

(Mr. CARDIN assumed the Chair.)

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. SCHATZ) is necessarily absent.

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote No. 8 Leg.]

YEAS—55

Baldwin	Graham	Risch
Barrasso	Grassley	Romney
Blackburn	Hagerty	Rosen
Blunt	Hassan	Rounds
Boozman	Hawley	Rubio
Braun	Hoeben	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Collins	Kelly	Sullivan
Cornyn	Kennedy	Thune
Cortez Masto	Lankford	Tillis
Cotton	Lee	Toomey
Cramer	Lummis	Tuberville
Crapo	Marshall	Warnock
Cruz	McConnell	Wicker
Daines	Moran	Young
Ernst	Murkowski	
Fischer	Portman	

NAYS—44

Bennet	Hirono	Peters
Blumenthal	Kaine	Reed
Booker	King	Sanders
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Lujan	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Coons	Menendez	Tester
Duckworth	Merkley	Van Hollen
Durbin	Murphy	Warner
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Heinrich	Padilla	Wyden
Hickenlooper	Paul	

NOT VOTING—1

Schatz

The PRESIDING OFFICER (Mr. OSSOFF). On this vote, the yeas are 55, the nays are 44.

The 60-vote threshold having not been achieved, the bill does not pass.

The bill (S. 3436) was rejected.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. SCHUMER. Mr. President, I have a short announcement about the schedule.

Due to the circumstances regarding COVID and another potentially hazardous winter storm approaching the DC area this weekend, the Senate will adjourn tonight. However, we will be postponing recess so the Senate can vote on voting rights. We will return on Tuesday to take up the House-passed message containing voting rights legislation.

Make no mistake, the U.S. Senate will, for the first time this Congress, debate voting rights legislation beginning on Tuesday. Members of this Chamber were elected to debate and to vote, particularly on an issue as vital to the beating heart of our democracy as this one, and we will proceed.

If the Senate Republicans choose obstruction over protecting the sacred right to vote, as we expect them to, the Senate will consider and vote on changing the Senate rules, as has been done many times before, to allow for the passage of voting rights legislation.

I will close with this: If the right to vote is the cornerstone of our democracy, then how can we, in good conscience, allow for a situation in which the Republican Party can debate and

pass voter suppression laws at the State level with only a simple majority vote but not allow the U.S. Senate to do the same?

In the coming days, we will confront this sobering question, and every Member will go on record.

Finally, Members should expect that the next State work period would begin on the week of January 24.

NORD STREAM 2

Mr. President, now on Nord Stream, a few minutes ago the Senate voted against passing legislation proposed by Senator CRUZ to address Nord Stream 2.

Probably every single one of us in this Chamber agrees that the United States must be strong in confronting Putin and his destabilizing tactics in Eastern Europe and in Ukraine. But as my colleagues made clear this morning, Senator CRUZ's bill, in our opinion, is the wrong answer at this time to deter President Putin's aggression. I commend my colleagues who came to the floor to make the case against today's misguided proposal: my friends Chairman MENENDEZ, Senator SHAHEEN, who cochaired the Senate's NATO Observer Group, and Senator MURPHY.

After today's vote, this issue is not behind us. The work is not done. President Putin remains a threat, and we must address this matter.

I urge my colleagues on both sides of the aisle to work with Chairman MENENDEZ and Chairman BROWN to support Chairman MENENDEZ's comprehensive sanctions, security, and humanitarian aid package.

I believe the Menendez bill is the answer and an important step in the right direction. But, of course, I am willing to consider reasonable additions and modifications.

From interfering in elections to conducting a plethora of cyber attacks that target us here in the homeland, to what is happening today on the border of Ukraine, President Putin has left no doubt of his desire to stir up instability. His action with respect to Ukraine calls for a robust and severe deterrent action.

I hope my Republican colleagues will come forward and work with the chair so we can truly confront Putin's dangerous aggression.

MORNING BUSINESS

VOTE EXPLANATION

Mr. HAWLEY. Mr. President, had there been a recorded vote, I would have voted "No" on S. Res. 490, "a resolution recognizing the essential work of United States Capitol personnel on the anniversary of the insurrectionist attack on the United States Capitol on January 6, 2021."

I am grateful for the service of all Capitol personnel who come to work every day to help operate the workings of Congress and keep Members safe. However, this resolution has been written to score cheap partisan political points. It attacks Republicans for their

response to COVID-19, and it contains falsehoods, such as the incorrect assertion that the riot at the Capitol on January 6, 2021 was perpetuated by "violent insurrectionists." Not a single person from that day has been charged with the crime of insurrection. If we are going to honor Capitol Hill workers—and we should—we must do so in a manner that focuses on their service to their nation, not on false narratives that are meant to divide us.

I support Capitol personnel but oppose this resolution as written.

TRIBUTE TO ANDY BRUNELLE

Mr. CRAPO. Mr. President, along with my colleagues Senator JIM RISCH, Representative MIKE SIMPSON, and Representative RUSS FULCHER, I congratulate Andy Brunelle on his remarkable career in government service. Andy is retiring on January 31, 2022, after 27 years with the U.S. Forest Service.

For more than 20 years, Andy has worked with our offices in his position as the Capitol City Coordinator for the U.S. Forest Service. In this position, he has represented both the U.S. Forest Service Region 1 and Region 4 and the seven National Forests in Idaho as he has served as a liaison working with State and local government officials, agency directors, Idaho's Congressional Delegation and interest groups in Idaho on issues of statewide concern. Given the importance of the natural resources and species habitat on the more than 20 million acres of federal forested land in Idaho he has acted on behalf of, Andy has worked on many challenging issues over the years. This includes working closely with our delegation concerning improving and extending the Secure Rural Schools program, a vital resource for Idahoans. We thank him for his thoughtful, helpful, and pragmatic work for the betterment of our great State and country.

Andy began working for the U.S. Forest Service in 1995 after serving as Special Assistant for Natural Resources in the Office of Idaho Governor Cecil D. Andrus. From 1988 to 1995, he was the Governor's key staff person on a wide variety of natural resource issues, including challenging issues such as water quality, federal lands management, and protection of Snake River salmon. Additionally, he served on the Northwest Power Planning Council; Boise City Planning and Zoning Commission; and City of Boise advisory committees. Andy also dedicates considerable time to serving on boards of nonprofit organizations, including the Boise WaterShed Exhibits Environmental Education Center; Idaho Environmental Forum; Ted Trueblood Chapter of Trout Unlimited; and Harris Ranch Wildlife Mitigation Association.

As we wish Andy well in his well-earned retirement, we express our deep gratitude for dedicating so much of his time and talents to enhancing, sustaining, and conserving such an essential part of our State's treasures. Thank you, Andy, for your decades of

dedicated work and skilled problem-solving on behalf of Idahoans, and congratulations on your retirement.

REMEMBERING CALEB SHIELDS

Mr. TESTER. Mr. President, I would like to share a few words today to honor an outstanding leader and friend of mine who recently passed away.

Caleb Shields was the retired Chairman and former Councilman of the Assiniboine and Sioux Tribes of the Fort Peck Reservation in Montana.

We talk a lot about service in this body, but everyone in Congress could learn from how Caleb lived his life.

He dedicated himself to service—service to this country, where he served honorably in the United States Navy; service to his Tribe as an elected leader for 24 years and as one of their most tireless champions; and as the author of a 500-page book on his Tribe's history, he served the next generation of the Fort Peck Tribes and the next generation of Montanans who now have access to knowledge that won't ever be forgotten.

Caleb was widely regarded as one of the most influential Tribal leaders in the country during his tenure, a reputation that was well-earned. Among his many achievements are his successful 20-year fight to get a water pipeline and treatment center on the Fort Peck reservation. After they were built, they were both named in his honor, and for generations to come, the name Caleb Shields will continue to serve the Fort Peck Tribe.

Less widely known were the small ways that Caleb showed his love and devotion for the Fort Peck Tribe. I am told that Caleb could recite the record of the Poplar High School basketball team all the way back to the 1970s. Caleb was devoted to that team, and believed strongly that basketball could provide hope and momentum that could propel the dreams of future leaders.

Caleb's legacy, his friendship, and his leadership will be felt for generations. I want to express my deepest sympathy to Caleb's wife of 58 years, Yvonne, to the whole Shields family, and to the Fort Peck Tribes for the loss of this great leader. Caleb made our state and our Nation stronger, and he will never be forgotten.

ADDITIONAL STATEMENTS

REMEMBERING ROBERT J. O'BRIEN

• Mr. HAGERTY. Mr. President, Robert J. O'Brien, Sr., age 103, passed away on January 4, 2022. A native of Chicago, O'Brien returned home after serving in the Navy during the Second World War and graduated from DePaul University.

Soon after, Mr. O'Brien joined John V. McCarthy & Co., the predecessor of R.J. O'Brien & Associates, where he focused on client and business research. By 1959, Mr. O'Brien was named President of John V. McCarthy & Co. and, in

1964, was elected to the Board of Governors of the Chicago Mercantile Exchange, a position he held continuously until 1977. He served as Chairman of the Exchange from 1967 to 1968 and was inducted into the FIA Futures Hall of Fame in 2007.

During his tenure on the Board of Governors, contracts on live animals were successfully introduced to the market, representing the first in a wave of innovation in contract design. He was also involved in changing the structure of the Chicago Mercantile Exchange to make it more democratic and in revitalizing the audits and investigations department to attract new exchange members.

Mr. O'Brien's entrepreneurial spirit is best illustrated in his countless contributions to the futures industry as he built the largest independent futures brokerage and clearing firm in the United States. He pioneered new industry practices and created opportunity for others, including taking delivery of the first live cattle contract traded on the Chicago Mercantile Exchange, broadcasting the first live commodity report from the trading floor, and sponsoring the first woman to work on the trading floor in 1966.

The longevity of Mr. O'Brien's career and the lasting success of his company are a testament to the focus placed on the relationships that have been built with more than 80,000 clients, his employees, and his family. Mr. O'Brien is survived by five children, 22 grandchildren, and 33 great grandchildren.●

RECOGNIZING BOWLING GREEN UTILITY WORKERS

● Mr. PAUL. Mr. President, during the early morning hours of December 11, 2021, Kentucky endured a series of tornadoes that proved to be the deadliest storms in the Commonwealth's history. There was damage throughout Southern Kentucky and beyond. Roofs were ripped off and trees snapped like twigs, but in this difficult time our community continues to come together and help one another. Immediately after, volunteers from all around Kentucky and even outside the Commonwealth showed up to help clean up the debris. Despite the devastation, I am reminded that the unbridled spirit of our Commonwealth shines its brightest during these times of adversity.

Of the many heroes that emerged during this crisis were the people of Bowling Green Municipal Utilities who immediately responded to the destruction and worked collectively to restore electricity to countless homes. Bowling Green Municipal Utilities reported 24,000 of its 31,500 customers were initially without power and 52 transmission polls had been severely damaged. By the next morning half of these powerless homes had their electricity restored. This should have been time for the men and women of BGMU to enjoy the upcoming holiday season. Instead, they responded to the call of

duty, working long shifts in the freezing cold. Because of their efforts, they were able to restore power to countless members of the community and provided relief to those most in need. We have a long road to recovery, but if we all display the perseverance our linemen and Kentuckians demonstrated, the Commonwealth will soon be back better than ever. I would like to personally thank people of Bowling Green Municipal Utilities for their continued service to all the impacted communities.●

RECOGNIZING THE EMPLOYEES OF 5 STAR ELECTRIC

● Mr. PAUL. Mr. President, during the early morning hours of December 11, 2021, Kentucky endured a series of tornadoes that proved to be the deadliest storms in the Commonwealth's history. There was damage throughout Southern Kentucky and beyond. Roofs were ripped off and trees snapped like twigs, but in this difficult time our community continues to come together and help one another. Immediately after, volunteers from all around Kentucky and even outside the Commonwealth showed up to help clear the debris. Despite the devastation, I am reminded that the unbridled spirit of our Commonwealth shines its brightest during these times of adversity.

Of the many heroes that emerged during this crisis were the people of 5 Star Electric who immediately responded to the destruction. 5 Star Electric sent out 140 linemen to restore the electrical grid, and, after a second storm hit Christian County later in the month, sent multiple crews to Hopkinsville to provide assistance to the impacted communities.

This should have been time for the men and women of 5 Star Electric to enjoy the upcoming holiday season. Instead, they responded to the call of duty, working long shifts in the freezing cold. Because of their efforts, they were able to restore power to countless members of the community and provided relief to those most in need. We have a long road to recovery, but if we all display the perseverance our linemen and Kentuckians demonstrated, the Commonwealth will soon be back better than ever. I would like to personally thank the people of 5 Star Electric for their continued service to all the impacted communities.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations

which were referred to the Committee on Banking, Housing, and Urban Affairs.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:35 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1836. A bill to amend title 38, United States Code, to ensure that the time during which members of the Armed Forces serve on active duty for training qualifies for educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs, and for other purposes.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 5746) an act to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of nonexcess property of the Administration, with an amendment, in which it requests the concurrence of the Senate.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1836. An act to amend title 38, United States Code, to ensure that the time during which members of the Armed Forces serve on active duty for training qualifies for educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CASEY, from the Special Committee on Aging:

Special Report entitled "Financial Literacy in Retirement: Providing Just-In-Time Information and Assistance for Older Americans and People with Disabilities" (Rept. No. 117-54).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mrs. MURRAY for the Committee on Health, Education, Labor, and Pensions.

*Linda A. Puchala, of Maryland, to be Member of the National Mediation Board for a term expiring July 1, 2024.

*Javier Ramirez, of Illinois, to be Federal Mediation and Conciliation Director.

*Jose Javier Rodriguez, of Florida, to be an Assistant Secretary of Labor.

*David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor.

*Robert McKinnon Califf, of North Carolina, to be Commissioner of Food and Drugs, Department of Health and Human Services.

*Amy Loyd, of New Mexico, to be Assistant Secretary for Career, Technical, and Adult Education, Department of Education.

*Lisa M. Gomez, of New Jersey, to be an Assistant Secretary of Labor.

*Susan Harthill, of Maryland, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2027.

By Mr. DURBIN for the Committee on the Judiciary.

Leonard Philip Stark, of Delaware, to be United States Circuit Judge for the Federal Circuit.

Bridget Meehan Brennan, of Ohio, to be United States District Judge for the Northern District of Ohio.

Jacqueline Scott Corley, of California, to be United States District Judge for the Northern District of California.

Charles Esque Fleming, of Ohio, to be United States District Judge for the Northern District of Ohio.

David Augustin Ruiz, of Ohio, to be United States District Judge for the Northern District of Ohio.

Katherine Vidal, of California, to be Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

Ryan K. Buchanan, of Georgia, to be United States Attorney for the Northern District of Georgia for the term of four years.

Jason M. Frierson, of Nevada, to be United States Attorney for the District of Nevada for the term of four years.

Andrew M. Luger, of Minnesota, to be United States Attorney for the District of Minnesota for the term of four years.

Mark A. Totten, of Michigan, to be United States Attorney for the Western District of Michigan for the term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BRAUN (for himself and Mr. KAINE):

S. 3496. A bill to improve research and development of medical countermeasures for novel pathogens; to the Committee on Health, Education, Labor, and Pensions.

By Mr. INHOFE (for himself and Ms. ROSEN):

S. 3497. A bill to amend the Public Health Service Act to establish a grant program to award grants to public institutions of higher education located in a covered State, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KELLY (for himself, Ms. SINEMA, and Mrs. FEINSTEIN):

S. 3498. A bill to support endemic fungal disease research, incentivize fungal vaccine development, discover new antifungal therapies and diagnostics, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS (for himself and Mr. PORTMAN):

S. 3499. A bill to amend the Post-Katrina Emergency Management Reform Act of 2006

to repeal certain obsolete requirements, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. ERNST (for herself, Mr. DAINES, Mr. COTTON, Mr. BRAUN, Mr. CRAMER, Mrs. BLACKBURN, Mr. SASSE, Mr. BOOZMAN, Mr. MARSHALL, Mr. THUNE, Mr. HAWLEY, Mr. SCOTT of Florida, Mr. HAGERTY, Mr. INHOFE, Mr. HOEVEN, Mr. LANKFORD, Mrs. HYDE-SMITH, and Mr. SCOTT of South Carolina):

S. 3500. A bill to amend title XIX of the Social Security Act and the Public Health Service Act to improve the reporting of abortion data to the Centers for Disease Control and Prevention, and for other purposes; to the Committee on Finance.

By Mr. CASSIDY (for himself and Mr. LUJÁN):

S. 3501. A bill to require the Federal Trade Commission to issue a short-form terms of service summary statement, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PETERS (for himself and Mr. PADILLA):

S. 3502. A bill to establish an Office of Civil Rights, Equity, and Community Inclusion at the Federal Emergency Management Agency, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KENNEDY (for himself, Ms. SMITH, and Mr. PETERS):

S. 3503. A bill to amend the Securities Exchange Act of 1934 to expand access to capital for rural-area small businesses, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HAWLEY:

S. 3504. A bill to amend Ethics in Government Act of 1978 to prohibit transactions involving certain financial instruments by Members of Congress; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MERKLEY (for himself, Mr. WICKER, Mrs. MURRAY, Mr. BOOZMAN, Ms. STABENOW, Mrs. GILLIBRAND, and Ms. KLOBUCHAR):

S. 3505. A bill to amend the Internal Revenue Code of 1986 to exclude certain Nurse Corps payments from gross income; to the Committee on Finance.

By Ms. SMITH (for herself, Ms. COLLINS, Mr. BOOKER, and Ms. MURKOWSKI):

S. 3506. A bill to strengthen the public health workforce loan repayment program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Ms. SMITH, Ms. DUCKWORTH, Mr. DURBIN, Mr. BLUMENTHAL, Ms. WARREN, Mr. BENNET, Mr. SANDERS, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mrs. MURRAY, and Mr. BOOKER):

S. 3507. A bill to improve air quality management and the safety of communities using the best available monitoring technology and data; to the Committee on Environment and Public Works.

By Mr. BLUMENTHAL (for himself, Mr. SCHUMER, Mr. HEINRICH, Ms. HIRONO, Ms. SMITH, Ms. KLOBUCHAR, and Mr. COONS):

S. 3508. A bill to posthumously award a congressional gold medal to Constance Baker Motley; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BRAUN (for himself and Ms. ERNST):

S. 3509. A bill to strengthen the authority of the Food and Drug Administration with respect to foreign drug facility inspections; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS (for himself and Mr. SCOTT of Florida):

S. 3510. A bill to require the Director of the Office of Management and Budget to issue guidance with respect to natural disaster resilience, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PETERS (for himself and Mr. CORNYN):

S. 3511. A bill to require a report on Federal support to the cybersecurity of commercial satellite systems, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCOTT of Florida (for himself and Mr. PETERS):

S. 3512. A bill to establish an advisory group to encourage and foster collaborative efforts among individuals and entities engaged in disaster recovery relating to debris removal, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. RUBIO:

S. 3513. A bill to impose additional sanctions with respect to the Russian Federation if the Government of the Russian Federation infringes on the territorial integrity of Ukraine, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BROWN (for himself, Mr. SCHUMER, Ms. KLOBUCHAR, Mr. CASEY, Mr. BOOKER, Mr. REED, Ms. CORTEZ MASTO, Mr. LUJÁN, Mr. CARDIN, Ms. BALDWIN, Mr. MARKEY, Mr. BENNET, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. COONS, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mr. WARNOCK, Mr. MENENDEZ, Ms. CANTWELL, Mr. SANDERS, Ms. DUCKWORTH, Mr. KING, Ms. WARREN, Mr. KAINE, Mr. WYDEN, Mr. PADILLA, Mr. DURBIN, Mr. OSSOFF, Ms. HIRONO, Ms. SMITH, Mr. WARNER, Mr. LEAHY, Mr. MERKLEY, Mr. CARPER, Mrs. GILLIBRAND, Ms. STABENOW, Mrs. MURRAY, Mr. MURPHY, Ms. ROSEN, Ms. SINEMA, Mr. HEINRICH, Mr. KELLY, Mr. SCHATZ, Mr. TESTER, Mr. PETERS, Mrs. SHAHEEN, Mr. HICKENLOOPER, Ms. HASSAN, and Mr. MANCHIN):

S. Res. 490. A resolution recognizing the essential work of United States Capitol personnel on the anniversary of the insurrectionist attack on the United States Capitol on January 6, 2021; considered and agreed to.

By Ms. KLOBUCHAR (for herself, Mr. GRASSLEY, Mrs. FEINSTEIN, Mr. CRAPO, Ms. HIRONO, Mr. TILLIS, Mr. DURBIN, and Mrs. BLACKBURN):

S. Res. 491. A resolution raising awareness and encouraging the prevention of stalking by designating January 2022 as "National Stalking Awareness Month"; considered and agreed to.

By Mr. DAINES (for himself, Mr. BLUNT, Mr. TILLIS, Mr. RUBIO, Mr. BRAUN, Mr. THUNE, Mrs. BLACKBURN, Mr. RISCH, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. HOEVEN, Mr. WICKER, Mr. LANKFORD, and Mr. SCOTT of South Carolina):

S. Con. Res. 27. A concurrent resolution affirming the importance of religious freedom as a fundamental human right that is essential to a free society and protected for all people of the United States under the Constitution of the United States, and recognizing the 236th anniversary of the enactment of the Virginia Statute for Religious

Freedom; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 79

At the request of Mr. BOOKER, the name of the Senator from Wyoming (Ms. LUMMIS) was added as a cosponsor of S. 79, a bill to eliminate the disparity in sentencing for cocaine offenses, and for other purposes.

S. 299

At the request of Mr. WARNER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 299, a bill to amend section 230 of the Communications Act of 1934 to reaffirm civil rights, victims' rights, and consumer protections.

S. 1106

At the request of Mr. BOOKER, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 1106, a bill to prohibit the sale of shark fins, and for other purposes.

S. 1472

At the request of Mr. WICKER, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 1472, a bill to require the Federal Communications Commission and the National Telecommunications and Information Administration to update the Memorandum of Understanding on Spectrum Coordination, and for other purposes.

S. 1660

At the request of Mr. BOOKER, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 1660, a bill to expand access to health care services for immigrants by removing legal and policy barriers to health insurance coverage, and for other purposes.

S. 1873

At the request of Mr. CRAPO, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Maine (Mr. KING) and the Senator from Georgia (Mr. OSSOFF) were added as cosponsors of S. 1873, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multicancer early detection screening tests.

S. 1888

At the request of Mr. BOOKER, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1888, a bill to amend title 5, United States Code, to include certain Federal positions within the definition of law enforcement officer for retirement purposes, and for other purposes.

S. 2429

At the request of Mr. GRASSLEY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2429, a bill to amend chapter 38 of title 31, United States Code, relating to civil remedies, and for other purposes.

S. 2443

At the request of Mr. GRAHAM, the name of the Senator from Missouri

(Mr. BLUNT) was added as a cosponsor of S. 2443, a bill to expand the definition of H-2A nonimmigrant for purposes of the Immigration and Nationality Act to include aliens engaged in seafood processing, horticultural commodities, or the care of horses.

S. 2736

At the request of Mr. BURR, the name of the Senator from Tennessee (Mr. HAGERTY) was added as a cosponsor of S. 2736, a bill to exclude vehicles to be used solely for competition from certain provisions of the Clean Air Act, and for other purposes.

S. 2752

At the request of Mr. BOOKER, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2752, a bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes.

S. 2790

At the request of Mr. HAGERTY, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 2790, a bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes.

S. 2798

At the request of Mr. CRAPO, the name of the Senator from Wyoming (Ms. LUMMIS) was added as a cosponsor of S. 2798, a bill to amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes.

S. 2854

At the request of Mr. KENNEDY, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 2854, a bill to allow for the transfer and redemption of abandoned savings bonds.

S. 2937

At the request of Mr. CARDIN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 2937, a bill to authorize humanitarian assistance and civil society support, promote democracy and human rights, and impose targeted sanctions with respect to human rights abuses in Burma, and for other purposes.

S. 2972

At the request of Mr. GRAHAM, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2972, a bill to repeal section 230 of the Communications Act of 1934.

S. 3146

At the request of Mr. INHOFE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 3146, a bill to appropriate \$25,000,000,000 for the construction of a border wall between the United States and Mexico, and for other purposes.

S. 3463

At the request of Mr. RUBIO, the names of the Senator from North Da-

kota (Mr. HOEVEN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 3463, a bill to impose sanctions and other measures in response to the failure of the Government of the People's Republic of China to allow an investigation into the origins of COVID-19 at suspect laboratories in Wuhan.

S. 3471

At the request of Mr. CASEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 3471, a bill to address the needs of individuals with disabilities within the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

S. 3483

At the request of Mr. COONS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3483, a bill to amend title 38, United States Code, to extend increased dependency and indemnity compensation paid to surviving spouses of veterans who die from amyotrophic lateral sclerosis, regardless of how long the veterans had such disease prior to death, and for other purposes.

S. 3488

At the request of Mr. MENENDEZ, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 3488, a bill to counter the aggression of the Russian Federation against Ukraine and Eastern European allies, to expedite security assistance to Ukraine to bolster Ukraine's defense capabilities, and to impose sanctions relating to the actions of the Russian Federation with respect to Ukraine, and for other purposes.

S.J. RES. 32

At the request of Mr. MARSHALL, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S.J. Res. 32, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Centers for Medicare & Medicaid Services relating to "Medicare and Medicaid Programs; Omnibus COVID-19 Health Care Staff Vaccination".

S. RES. 467

At the request of Mr. BLUMENTHAL, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. Res. 467, a resolution recognizing the contributions made by the 305-meter radio telescope at the Arecibo Observatory.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 490—RECOGNIZING THE ESSENTIAL WORK OF UNITED STATES CAPITOL PERSONNEL ON THE ANNIVERSARY OF THE INSURRECTIONIST ATTACK ON THE UNITED STATES CAPITOL ON JANUARY 6, 2021

Mr. BROWN (for himself, Mr. SCHUMER, Ms. KLOBUCHAR, Mr. CASEY, Mr.

BOOKER, Mr. REED, Ms. CORTEZ MASTO, Mr. LUIJÁN, Mr. CARDIN, Ms. BALDWIN, Mr. MARKEY, Mr. BENNET, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. COONS, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mr. WARNOCK, Mr. MENENDEZ, Ms. CANTWELL, Mr. SANDERS, Ms. DUCKWORTH, Mr. KING, Ms. WARREN, Mr. KAINE, Mr. WYDEN, Mr. PADILLA, Mr. DURBIN, Mr. OSSOFF, Ms. HIRONO, Ms. SMITH, Mr. WARNER, Mr. LEAHY, Mr. MERKLEY, Mr. CARPER, Mrs. GILLIBRAND, Ms. STABENOW, Mrs. MURRAY, Mr. MURPHY, Ms. ROSEN, Ms. SINEMA, Mr. HEINRICH, Mr. KELLY, Mr. SCHATZ, Mr. TESTER, Mr. PETERS, Mrs. SHAHEEN, Mr. HICKENLOOPER, Ms. HASSAN, and Mr. MANCHIN) submitted the following resolution; which was considered and agreed to:

S. RES. 490

Whereas Rev. Dr. Martin Luther King, Jr., once said, "If a man is called to be a street sweeper, he should sweep streets even as a Michelangelo painted, or Beethoven composed music, or Shakespeare wrote poetry. He should sweep streets so well that all the hosts of heaven and earth will pause to say, 'Here lived a great street sweeper who did his job well.' No work is insignificant. All labor that uplifts humanity has dignity and importance.";

Whereas the United States Capitol (referred to in this preamble as the "Capitol") is the people's house;

Whereas January 6, 2022, is the anniversary of the January 6, 2021, insurrectionist attack on the Capitol during a joint session of Congress to receive the votes of the electoral college;

Whereas, on January 6, 2021, violent insurrectionists, carrying Confederate flags and symbols, ransacked the Capitol, and Capitol custodial, janitorial, and maintenance staff—the majority of whom are African American, Latino, or other people of color—were there to pick up the pieces and deserve eternal gratitude for their work;

Whereas, on March 1, 2021, the Senior Senator from Minnesota introduced a resolution recognizing Capitol personnel and members of the press corps and honoring the incredible and diligent work done by Capitol personnel to care for and repair the Capitol in the wake of the January 6 attack;

Whereas, in the days following the January 6 attack, the Senate rightly recognized Eugene Goodman and the many officers of the United States Capitol Police who deserve the deep gratitude of the United States for putting their lives on the line to protect the Capitol and the democratic process of the United States;

Whereas Capitol custodial, janitorial, and maintenance staff deserve the distinct honor and gratitude of the United States, as they also put their lives on the line serving the republic on January 6, 2021, and over the past year, during the COVID-19 pandemic;

Whereas Capitol custodial, janitorial, and maintenance staff and other essential workers, including Restaurant Associates and Sodexo staff, come to work each day and do their jobs with skill, dedication, and dignity;

Whereas the work of such staff is too often overlooked, but remains essential to the functioning of the Government;

Whereas Capitol personnel of all races and creeds who have shown up for work during the pandemic, while many individuals in the Capitol have not taken COVID-19 seriously, deserve proper equipment and safe working conditions;

Whereas Capitol custodial, janitorial, and maintenance staff were at the Capitol on

January 6, 2021, doing their jobs when violent insurrectionists stormed the building, barging into the Senate Chamber;

Whereas the largely African American and Latino custodial staff and other custodial staff of color were left to restore dignity and respect to the Capitol, the Office of the Senate Parliamentarian, and many other rooms and hallways throughout the Capitol;

Whereas the work of the Capitol custodial staff allowed Members of the Senate to return to the Senate Chamber on January 6, 2021, to continue to certify the electoral votes and secure the democracy of the United States;

Whereas many individuals in the United States were so moved by the actions of the Capitol custodial staff on January 6, 2021, that such individuals wrote thank you notes to the staff in the days following the attack;

Whereas the actions of the Capitol custodial, janitorial, and maintenance staff on the night of the January 6, 2021, attack and in the days and weeks following are the epitome of service, love of country, and the dignity of work; and

Whereas many Capitol personnel are represented by Local Numbers 626, 658, 2910, and 2477 of the American Federation of State, County and Municipal Employees, Local 23 of UNITE HERE, and the United States Capitol Police Labor Committee which advocate for members in the workplace: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the strength and commitment of the personnel of the United States Capitol who bring skill and dedication to their work every day and who worked through the night on January 6, 2021, and in the days following to restore dignity to the United States Capitol and to ensure the democracy of the United States continues to function;

(2) expresses gratitude for the personnel of the United States Capitol and the United States Capitol Police for their bravery and service to the United States; and

(3) reaffirms its dedication to strengthening the rights of the personnel of the United States Capitol and the United States Capitol Police and to providing support and resources to ensure their health, well-being, safety, and protection from further attacks, including higher pay, collective bargaining rights, paid sick and vacation leave, and comprehensive health insurance with mental health resources.

SENATE RESOLUTION 491—RAISING AWARENESS AND ENCOURAGING THE PREVENTION OF STALKING BY DESIGNATING JANUARY 2022 AS "NATIONAL STALKING AWARENESS MONTH"

Ms. KLOBUCHAR (for herself, Mr. GRASSLEY, Mrs. FEINSTEIN, Mr. CRAPO, Ms. HIRONO, Mr. TILLIS, Mr. DURBIN, and Mrs. BLACKBURN) submitted the following resolution; which was considered and agreed to:

S. RES. 491

Whereas approximately 1 in 6 women in the United States, at some point during her lifetime, has experienced stalking victimization, causing her to feel very fearful or believe that she or someone close to her would be harmed or killed;

Whereas it is estimated that, each year, between 6,000,000 and 7,500,000 individuals in the United States report that they have been victims of stalking;

Whereas more than 85 percent of victims of stalking report that they have been stalked by someone they know;

Whereas nearly 70 percent of intimate partner stalking victims are threatened with physical harm by stalkers;

Whereas stalking is a risk factor for intimate partner homicide;

Whereas 3 in 4 female victims of intimate partner homicides were stalked during the year preceding the homicide by their killers;

Whereas 11 percent of victims of stalking report having been stalked for more than 5 years;

Whereas two-thirds of stalkers pursue their victims at least once a week;

Whereas many victims of stalking are forced to take drastic measures to protect themselves, including relocating, changing jobs, or obtaining protection orders;

Whereas the prevalence of anxiety, insomnia, social dysfunction, and severe depression is much higher among victims of stalking than the general population;

Whereas many victims of stalking do not report stalking to the police or contact a victim service provider, shelter, or hotline;

Whereas stalking is a crime under Federal law, the laws of all 50 States, the District of Columbia, and the territories of the United States, and the Uniform Code of Military Justice;

Whereas stalking affects victims of every race, age, culture, gender, sexual orientation, physical and mental ability, and economic status;

Whereas national organizations, local victim service organizations, campuses, prosecutor's offices, and police departments stand ready to assist victims of stalking and are working diligently to develop effective and innovative responses to stalking, including online stalking;

Whereas there is a need to improve the response of the criminal justice system to stalking through more aggressive investigation and prosecution;

Whereas there is a need for an increase in the availability of victim services across the United States, and those services must include programs tailored to meet the needs of victims of stalking;

Whereas individuals between 18 and 24 years old experience the highest rates of stalking victimization, and a majority of stalking victims report their victimization first occurred before the age of 25;

Whereas up to 75 percent of women in college who experience behavior relating to stalking also experience other forms of victimization, including sexual or physical victimization;

Whereas college students with disabilities are twice as likely as college students without disabilities to experience stalking;

Whereas there is a need for an effective response to stalking on each campus;

Whereas more than twice as many victims of stalking are stalked using technology, such as phone calls, text messages, social media platforms, internet posts, emails, electronic tracking, as victims of stalking who are stalked without the use of technology;

Whereas the COVID-19 pandemic has heightened the risk of online stalking and harassment, particularly among school-aged individuals;

Whereas victim service organizations and law enforcement entities have swiftly adapted to the COVID-19 pandemic in order to continue to serve victims of stalking;

Whereas victim service providers report an increase in online stalking and harassment, particularly among school-aged individuals; and

Whereas the Senate finds that "National Stalking Awareness Month" provides an opportunity to educate the people of the United States about stalking: Now, therefore, be it

Resolved, That the Senate—

(1) designates January 2022 as “National Stalking Awareness Month”;

(2) applauds the efforts of service providers for victims of stalking, police, prosecutors, national and community organizations, campuses, and private sector supporters to promote awareness of stalking;

(3) encourages policymakers, criminal justice officials, victim service and human service agencies, institutions of higher education, and nonprofit organizations to increase awareness of stalking and continue to support the availability of services for victims of stalking; and

(4) urges national and community organizations, businesses in the private sector, and the media to promote awareness of the crime of stalking through “National Stalking Awareness Month”.

SENATE CONCURRENT RESOLUTION 27—AFFIRMING THE IMPORTANCE OF RELIGIOUS FREEDOM AS A FUNDAMENTAL HUMAN RIGHT THAT IS ESSENTIAL TO A FREE SOCIETY AND PROTECTED FOR ALL PEOPLE OF THE UNITED STATES UNDER THE CONSTITUTION OF THE UNITED STATES, AND RECOGNIZING THE 236TH ANNIVERSARY OF THE ENACTMENT OF THE VIRGINIA STATUTE FOR RELIGIOUS FREEDOM

Mr. DAINES (for himself, Mr. BLUNT, Mr. TILLIS, Mr. RUBIO, Mr. BRAUN, Mr. THUNE, Mrs. BLACKBURN, Mr. RISCH, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. HOEVEN, Mr. WICKER, Mr. LANKFORD, and Mr. SCOTT of South Carolina) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 27

Whereas the democracy of the United States is rooted in the fundamental truth that all people are created equal, endowed by the Creator with certain inalienable rights, including life, liberty, and the pursuit of happiness;

Whereas the freedom of conscience was highly valued by—

(1) individuals seeking religious freedom who settled in the colonies in the United States;

(2) the founders of the United States; and

(3) Thomas Jefferson, who wrote in a letter to the Society of the Methodist Episcopal Church at New London, Connecticut, dated February 4, 1809, that “[n]o provision in our Constitution ought to be dearer to man than that which protects the rights of conscience against the enterprizes of the civil authority”;

Whereas the Virginia Statute for Religious Freedom was—

(1) drafted by Thomas Jefferson, who considered the Virginia Statute for Religious Freedom to be one of his greatest achievements;

(2) enacted on January 16, 1786; and

(3) the forerunner to the Free Exercise Clause of the First Amendment to the Constitution of the United States;

Whereas section 2(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6401(a)) states that—

(1) “[t]he right to freedom of religion undergirds the very origin and existence of the United States”; and

(2) religious freedom was established by the founders of the United States “in law, as

a fundamental right and as a pillar of our Nation”;

Whereas the role of religion in society and public life in the United States has a long and robust tradition;

Whereas individuals who have studied the democracy of the United States from an international perspective, such as Alexis de Tocqueville, have noted that religion plays a central role in preserving the Government of the United States because religion provides the moral base required for democracy to succeed;

Whereas, in *Town of Greece v. Galloway*, 134 S. Ct. 1811 (2014), the Supreme Court of the United States affirmed that “people of many faiths may be united in a community of tolerance and devotion”;

Whereas the principle of religious freedom “has guided our Nation forward”, as expressed by the 44th President of the United States in a Presidential proclamation on Religious Freedom Day in 2011, and freedom of religion “is a universal human right to be protected here at home and across the globe”, as expressed by that President of the United States on Religious Freedom Day in 2013;

Whereas “[f]reedom of religion is a fundamental human right that must be upheld by every nation and guaranteed by every government”, as expressed by the 42nd President of the United States in a Presidential proclamation on Religious Freedom Day in 1999;

Whereas the First Amendment to the Constitution of the United States protects—

(1) the right of individuals to freely express and act on the religious beliefs of those individuals; and

(2) individuals from coercion to profess or act on a religious belief to which those individuals do not adhere;

Whereas “our laws and institutions should not impede or hinder but rather should protect and preserve fundamental religious liberties”, as expressed by the 42nd President of the United States in remarks accompanying the signing of the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb et seq.);

Whereas, for countless people of the United States, faith is an integral part of every aspect of daily life and is not limited to the homes, houses of worship, or doctrinal creeds of those individuals;

Whereas “religious faith has inspired many of our fellow citizens to help build a better Nation” in which “people of faith continue to wage a determined campaign to meet needs and fight suffering”, as expressed by the 43rd President of the United States in a Presidential proclamation on Religious Freedom Day in 2003;

Whereas, “[f]rom its birth to this day, the United States has prized this legacy of religious freedom and honored this heritage by standing for religious freedom and offering refuge to those suffering religious persecution”, as noted in section 2(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6401(a));

Whereas Thomas Jefferson wrote—

(1) in 1798 that each right encompassed in the First Amendment to the Constitution of the United States is dependent on the other rights described in that Amendment, “thereby guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press: insomuch, that whatever violated either, throws down the sanctuary which covers the others”; and

(2) in 1822 that the constitutional freedom of religion is “the most inalienable and sacred of all human rights”;

Whereas religious freedom “has been integral to the preservation and development of the United States”, and “the free exercise of religion goes hand in hand with the preservation of our other rights”, as expressed by the

41st President of the United States in a Presidential proclamation on Religious Freedom Day in 1993; and

Whereas we “continue to proclaim the fundamental right of all peoples to believe and worship according to their own conscience, to affirm their beliefs openly and freely, and to practice their faith without fear or intimidation”, as expressed by the 42nd President of the United States in a Presidential proclamation on Religious Freedom Day in 1998: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) on Religious Freedom Day on January 16, 2022, honors the 236th anniversary of the enactment of the Virginia Statute for Religious Freedom; and

(2) affirms that—

(A) for individuals of any faith and individuals of no faith, religious freedom includes the right of an individual to live, work, associate, and worship in accordance with the beliefs of the individual;

(B) all people of the United States can be unified in supporting religious freedom, regardless of differing individual beliefs, because religious freedom is a fundamental human right; and

(C) “the American people will remain forever unshackled in matters of faith”, as expressed by the 44th President of the United States in a Presidential proclamation on Religious Freedom Day in 2012.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4900. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 3436, to require the imposition of sanctions with respect to entities responsible for the planning, construction, or operation of the Nord Stream 2 pipeline and their corporate officers and to apply congressional review under the Countering America's Adversaries Through Sanctions Act to the removal of sanctions relating to Nord Stream 2, and for other purposes; which was ordered to lie on the table.

SA 4901. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 3436, supra; which was ordered to lie on the table.

SA 4902. Mr. SCHUMER (for Mr. CARDIN) proposed an amendment to the bill H.R. 2471, to measure the progress of post-disaster recovery and efforts to address corruption, governance, rule of law, and media freedoms in Haiti.

TEXT OF AMENDMENTS

SA 4900. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 3436, to require the imposition of sanctions with respect to entities responsible for the planning, construction, or operation of the Nord Stream 2 pipeline and their corporate officers and to apply congressional review under the Countering America's Adversaries Through Sanctions Act to the removal of sanctions relating to Nord Stream 2, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . EXPORTATION OF NATURAL GAS TO NATO ALLIES.

Section 3(a) of the Natural Gas Act (15 U.S.C. 717b(a)) is amended in the first sentence by inserting “(other than a country

that is a member of the North Atlantic Treaty Organization)" after "to a foreign country".

SA 4901. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 3436, to require the imposition of sanctions with respect to entities responsible for the planning, construction, or operation of the Nord Stream 2 pipeline and their corporate officers and to apply congressional review under the Countering America's Adversaries Through Sanctions Act to the removal of sanctions relating to Nord Stream 2, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ CANCELLATION OF REVOCATION OF PERMIT FOR KEystone XL PIPELINE.

On and after the date of the enactment of this Act, section 6 of Executive Order 13990 (86 Fed. Reg. 7037; relating to protecting public health and the environment and restoring science to tackle the climate crisis) shall have no force or effect.

SA 4902. Mr. SCHUMER (for Mr. CARDIN) proposed an amendment to the bill H.R. 2471, to measure the progress of post-disaster recovery and efforts to address corruption, governance, rule of law, and media freedoms in Haiti; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Haiti Development, Accountability, and Institutional Transparency Initiative Act".

SEC. 2. STATEMENT OF POLICY.

It is the policy of the United States to support the sustainable rebuilding and development of Haiti in a manner that—

- (1) recognizes Haitian independence, self-reliance, and sovereignty;
- (2) promotes efforts that are led by and support the people and Government of Haiti at all levels so that Haitians lead the course of reconstruction and development of Haiti;
- (3) contributes to international efforts to facilitate conditions for broad, inclusive, and sustained political dialogue among the different actors in Haiti to restore democratic legitimacy and institutions in Haiti;
- (4) builds the long-term capacity of the Government of Haiti, civil society, and the private sector to foster economic opportunities in Haiti;
- (5) fosters collaboration between the Haitian diaspora in the United States, including dual citizens of Haiti and the United States, and the Government of Haiti and the business community in Haiti;
- (6) supports anticorruption efforts, promotes press freedom, and addresses human rights concerns, including through the enforcement of sanctions imposed in accordance with the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114-328; 22 U.S.C. 2656 note) on individuals implicated in human rights violations and corruption;
- (7) respects and helps restore the natural resources of Haiti and strengthens community-level resilience to environmental and weather-related impacts;
- (8) promotes political stability through the holding of free, fair, transparent, and timely elections in accordance with democratic principles and the Constitution of Haiti;

(9) provides timely and comprehensive reporting on the goals and progress of the Government of Haiti and the United States Government, and transparent post-program evaluations and contracting data; and

(10) promotes the participation of Haitian women and youth in governmental and nongovernmental institutions and in economic development and governance assistance programs funded by the United States.

SEC. 3. DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.

In this Act, the term "appropriate congressional committees" means—

- (1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and
- (2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SEC. 4. STRENGTHENING HUMAN RIGHTS AND ANTICORRUPTION EFFORTS IN HAITI AND HOLDING PERPETRATORS OF THE LA SALINE MASSACRE ACCOUNTABLE.

(a) **PRIORITIZATION BY SECRETARY OF STATE.**—The Secretary of State shall prioritize the protection of human rights and anticorruption efforts in Haiti through the following methods:

- (1) Fostering strong relationships with independent civil society groups focused on monitoring corruption and human rights abuses and promoting democracy in Haiti.
- (2) Supporting the efforts of the Government of Haiti to identify persons involved in human rights violations and significant acts of corruption in Haiti, including public and private sector actors, and hold them accountable for their actions.
- (3) Addressing concerns of impunity for the alleged perpetrators of and the individuals who organized and planned the massacre in La Saline that took place on November 13, 2018.
- (4) Urging authorities to continue to investigate attacks in the neighborhoods of La Saline and Bel Air in 2018 and 2019 that left dozens dead in order to bring the perpetrators to justice.

(b) **BRIEFING.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall brief the appropriate congressional committees on the events that took place on November 13, 2018, in the neighborhood of La Saline, in Port-au-Prince, Haiti, and the aftermath of those events.

(2) **ELEMENTS.**—The briefing required by paragraph (1) shall include the following:

(A) An examination of any links between the massacre in La Saline and mass protests that occurred concurrently in Haiti.

(B) An analysis of the reports on the massacre in La Saline authored by the United Nations, the European Union, and the Government of Haiti.

(C) A detailed description of all known perpetrators of and the individuals who organized and planned the massacre.

(D) An overview of efforts of the Government of Haiti to bring the perpetrators of and the individuals who organized and planned the massacre in La Saline to justice and to prevent other similar attacks.

(E) An assessment of the ensuing treatment and displacement of the survivors of the massacre in La Saline.

(3) **CONSULTATION.**—In carrying out paragraph (1), the Secretary shall consult with nongovernmental organizations in Haiti and the United States.

SEC. 5. PROMOTING FREEDOM OF THE PRESS AND ASSEMBLY IN HAITI.

The Secretary of State shall prioritize the promotion of freedom of the press and freedom of assembly and the protection of jour-

nalists in Haiti through the following methods:

(1) Advocating to Haitian authorities for increased protection for journalists and the press and for the freedom to peacefully assemble or protest in Haiti.

(2) Collaborating with officials of the Government of Haiti and representatives of civil society to increase legal protections for journalists in Haiti.

(3) Supporting efforts to strengthen transparency in the public and private sectors in Haiti and access to information in Haiti.

(4) Using United States foreign assistance for programs to strengthen capacity for independent journalists and increase support for investigative journalism in Haiti.

SEC. 6. SUPPORTING POST-EARTHQUAKE, POST-HURRICANE, AND POST-COVID-19 RECOVERY AND DEVELOPMENT IN HAITI.

The Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall prioritize post-earthquake, post-hurricane, and post-COVID-19 recovery and development efforts in Haiti through the following methods:

- (1) Collaborating with the Government of Haiti on a detailed and transparent development plan that includes clear objectives and benchmarks.
- (2) Building the capacity of Haitian-led public, private, and nongovernmental sector institutions in Haiti through post-earthquake and post-hurricane recovery and development planning.
- (3) Assessing the impact of the recovery efforts of the United States and the international community in Haiti since January 2010.
- (4) Supporting disaster resilience and reconstruction efforts.
- (5) Addressing the underlying causes of poverty and inequality.
- (6) Improving access to—

- (A) health resources;
- (B) public health technical assistance; and
- (C) clean water, food, and shelter.
- (7) Assessing the impact of the COVID-19 pandemic on post-disaster recovery efforts and evaluating United States support needed to help with the pandemic response in Haiti.
- (8) Supporting—

- (A) the export of additional United States-produced COVID-19 vaccine doses to Haiti; and
- (B) the safe storage, transport, and end-to-end distribution of United States-produced COVID-19 vaccines throughout Haiti, in light of ongoing humanitarian access challenges presented by Haiti's security environment.

SEC. 7. REPORT ON DEVELOPMENTS IN HAITI.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development (in this section referred to as the "Administrator") and other relevant agencies and departments, shall submit to the appropriate congressional committees a report on developments in Haiti.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

- (1) A strategy for carrying out sections 4(a), 5, and 6, including established baselines, benchmarks, and indicators to measure outcomes and impact.
- (2) An assessment of major corruption committed among the public and private sectors in Haiti, including identification of any individual or entity that financed corruption activities, and all corruption prosecutions investigated by the judiciary of Haiti since January 2015.

(3) An overview of efforts of the Government of Haiti to address corruption, including the Petrocaribe scandal, and corrective measures to strengthen and restore trust in the public institutions of Haiti.

(4) A description of efforts of the United States Government to consult and engage with officials of the Government of Haiti and independent civil society groups focused on monitoring corruption and human rights abuses and promoting democracy and press freedom in Haiti since January 2015.

(5) A description of the response by the Government of Haiti to civic protests that have taken place since July 2018 and any allegations of human rights abuses, including attacks on journalists.

(6) An assessment of United States security assistance to Haiti, including United States support to the Haitian National Police and an assessment of compliance with section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) and section 362 of title 10, United States Code (commonly referred to as the “Leahy Laws”).

(7) A description of the efforts of the Government of Haiti to support displaced survivors of urban and gang violence.

(8) An assessment of United States inter-agency efforts to counter kidnapping and armed violence in Haiti.

(9) An assessment of the impact of presidential decrees on the health of Haiti’s democratic institutions and the safeguarding of human rights, including decrees relating to—

(A) reducing the authority of the Superior Court of Accounts and Administrative Litigation;

(B) promulgating an antiterrorism law;

(C) establishing the National Intelligence Agency; and

(D) retiring and subsequently appointing judges to the Supreme Court of Haiti.

(10) A review of the alleged coup against President Moïse on February 7, 2021, and subsequent arrest and jailings of alleged perpetrators.

(11) An analysis, conducted in collaboration with the Government of Haiti, of efforts to support development goals in Haiti since January 2015, including steps taken—

(A) to strengthen institutions at the national and local levels; and

(B) to strengthen democratic governance at the national and local levels.

(12) An analysis of the effectiveness and sustainability of development projects financed by the United States, including the Caracol Industrial Park and supporting infrastructure.

(13) A description of procurement from Haitian small- and medium-sized businesses and nongovernmental organizations by the Government of the United States and the Government of Haiti for development and humanitarian activities, disaggregated by year since 2015, and a description of efforts to increase local procurement, including food aid.

(14) A description of United States efforts since January 2015 to assist the Haitian people in their pursuits for free, fair, and timely democratic elections.

(15) An overview of United States efforts to cooperate with diplomatic partners in Latin America, the Caribbean, Canada, and Europe to engage with political leaders, civil society, the private sector, and underrepresented populations in Haiti to support a stable environment conducive to holding free and fair elections.

(16) Quantitative and qualitative indicators to assess progress and benchmarks for United States initiatives focused on sustainable development in Haiti, including democracy assistance, economic revitalization, natural disaster recovery, pandemic re-

sponse, resilience, energy and infrastructure, health, and food security.

(c) **CONSULTATION.**—In preparing the report required by subsection (a), the Secretary and the Administrator shall consult, as appropriate, with—

(1) nongovernmental organizations and civil society groups in Haiti and the United States; and

(2) the Government of Haiti.

(d) **PUBLIC AVAILABILITY.**—The Secretary shall make the report required by subsection (a) publicly available on the website of the Department of State.

SEC. 8. REPORT ON THE ASSASSINATION OF PRESIDENT JOVENEL MOÏSE.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Attorney General, the Secretary of Homeland Security, and the Director of the Central Intelligence Agency, shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the July 7, 2021, assassination of former President of Haiti Jovenel Moïse.

(b) **UPDATED REPORT.**—Not later than 180 days after the submission of the report required by subsection (a), the Secretary of State, in coordination with the Attorney General, the Secretary of Homeland Security, and the Director of the Central Intelligence Agency, shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives an updated version of the report that includes any significant developments related to the assassination of former President of Haiti Jovenel Moïse.

(c) **ELEMENTS.**—The report required by subsection (a) and the report required by subsection (b) shall each include the following elements:

(1) A detailed description of the events leading up to the assassination of former President Jovenel Moïse and the subsequent investigation of the assassination, including a description and identification of key dates and the names of foreign persons related to the assassination and the investigation of the assassination.

(2) A description of United States support for the efforts of Haitian authorities to investigate the assassination of former President Jovenel Moïse.

(3) An assessment of the independence and capacity of Haitian authorities to investigate the assassination of former President Jovenel Moïse, including analysis of significant advances and deficiencies of the investigation.

(4) A description of any threats and acts of intimidation against Haitian law enforcement and judicial authorities involved in the investigation of the assassination of former President Jovenel Moïse, including the identification of foreign persons involved in such threats and acts of intimidation.

(5) A description of any efforts to interfere in or undermine the independence and integrity of the investigation of the assassination of former President Jovenel Moïse.

(6) A description of whether any foreign persons previously employed by or who served as a contractor or informant for the United States Government were involved in the assassination of former President Jovenel Moïse.

(7) A description and the identification of foreign persons involved in the execution and planning of the assassination of former President Jovenel Moïse and an assessment of the intentions of such foreign persons.

(d) **FORM OF REPORT.**—The report required by subsection (a) and the updated report required by subsection (b) shall each be submitted in an unclassified form, but each may include a classified annex.

(e) **PUBLICATION.**—The Secretary of State shall post on the public website of the Department of State—

(1) the unclassified version of the report required by subsection (a) not later than 15 days after the date on which the report is submitted under such subsection; and

(2) the unclassified version of the report required by subsection (b) not later than 15 days after the date on which the report is submitted under such subsection.

(f) **BRIEFING REQUIREMENT.**—The Secretary of State, in coordination with the Attorney General, the Secretary of Homeland Security, and the Director of the Central Intelligence Agency, shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on—

(1) the contents of the report required by subsection (a) not later than 15 days after the date on which the report is submitted under such subsection; and

(2) the contents of the report required by subsection (b) not later than 15 days after the date on which the report is submitted under such subsection.

SEC. 9. REPEAL.

The Assessing Progress in Haiti Act of 2014 (22 U.S.C. 2151 note; Public Law 113–162) is repealed.

SEC. 10. TERMINATION.

This Act shall terminate on December 31, 2025.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Mr. President, I have 6 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, January 13, 2022, at 9:30 a.m., to conduct a hearing on nominations.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, January 13, 2022, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Thursday, January 13, 2022, at 11 a.m., to conduct a hearing on nominations.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, January 13, 2022, at 10:15 a.m., to conduct a hearing on nominations.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session

of the Senate on Thursday, January 13, 2022, at 9 a.m., to conduct an executive business meeting.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, January 13, 2022, at 9:30 a.m., to conduct a hearing.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the Republican Leader, pursuant to the provisions of Public Law 106-567, the appointment of the following individual to serve as a member of the Public Interest Declassification Board: Carter Burwell of Virginia.

HAITI DEVELOPMENT, ACCOUNTABILITY, AND INSTITUTIONAL TRANSPARENCY INITIATIVE ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of H.R. 2471 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2471) to measure the progress of post-disaster recovery and efforts to address corruption, governance, rule of law, and media freedoms in Haiti.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the substitute amendment at the desk be agreed to and that the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4902) in the nature of a substitute was agreed to as follows:

(Purpose: In the nature of a substitute.)

(The amendment is printed in today's RECORD under "Text of Amendments.")

The amendment was ordered to be engrossed and the bill read a third time.

The bill was read the third time.

Mr. SCHUMER. I know of no further debate.

The PRESIDING OFFICER. Hearing no further debate, the bill having been read the third time, the question is, Shall the bill, as amended, pass?

The bill (H.R. 2471), as amended, was passed.

Mr. SCHUMER. Finally, I ask that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE ESSENTIAL WORK OF UNITED STATES CAPITOL PERSONNEL ON THE ANNIVERSARY OF THE INSURRECTIONIST ATTACK ON THE UNITED STATES CAPITOL ON JANUARY 6, 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 490, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 490) recognizing the essential work of United States Capitol personnel on the anniversary of the insurrectionist attack on the United States Capitol on January 6, 2021.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I know of no further debate.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the resolution.

The resolution (S. Res. 490) was agreed to.

Mr. SCHUMER. I further ask that the preamble be agreed to and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's (legislative day of January 10, 2022) RECORD under "Submitted Resolutions.")

NATIONAL STALKING AWARENESS MONTH

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 491, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 491) raising awareness and encouraging the prevention of stalking by designating January 2022 as "National Stalking Awareness Month".

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 491) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's (legislative day of January 10, 2022) RECORD under "Submitted Resolutions.")

ORDERS FOR FRIDAY, JANUARY 14, 2022, THROUGH TUESDAY, JANUARY 18, 2022

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn to convene for a pro forma session only, with no business conducted, at 11:20 a.m. on Friday, January 14; further, that when the Senate adjourns on Friday, it stand adjourned until 12 noon on Tuesday, January 18; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 11:20 A.M. TOMORROW

Mr. SCHUMER. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 9:52 p.m., adjourned until Friday, January 14, 2022, at 11:20 a.m.

NOMINATIONS

Executive nominations received by the Senate:

FEDERAL RESERVE SYSTEM

SARAH BLOOM RASKIN, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2018, VICE RANDAL QUARLES, RESIGNED.

SARAH BLOOM RASKIN, OF MARYLAND, TO BE VICE CHAIRMAN FOR SUPERVISION OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR A TERM OF FOUR YEARS, VICE RANDAL QUARLES, RESIGNED.

LISA DENELL COOK, OF MICHIGAN, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2010, VICE JANET L. YELLEN, RESIGNED.

PHILIP NATHAN JEFFERSON, OF NORTH CAROLINA, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR A TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2022, VICE RICHARD CLARIDA, RESIGNED.